

# **Columbus City Bulletin**



**Bulletin 28**  
**July 12, 2003**



# Proceedings of City Council

Vol. LXXXVIII

Saturday, July 12, 2003

NO. 28

## **PROCEEDINGS OF CITY COUNCIL REGULAR MEETING NO. 25 MONDAY, JULY 7, 2003 AT 5:00 P.M.**

Council met in regular session with President Matthew D. Habash in the chair. The roll being called, the following members were present: Kevin L. Boyce, President Pro-Tem Michael C. Mentel, Maryellen O'Shaughnessy, Richard W. Sensenbrenner, Charleta B. Tavares, Patsy A. Thomas and President Matthew D. Habash.

There being a quorum present, Council adopted a motion to dispense with reading of the minutes of the previous session and to accept the journal as recorded.

## **PROCEEDINGS OF CITY COUNCIL REGULAR MEETING NO. 26 MONDAY, JULY 7, 2003 AT 6:30 P.M.**

Council met in regular session with President Matthew D. Habash in the chair. The roll being called, the following members were present: Kevin L. Boyce, President Pro-Tem Michael C. Mentel, Richard W. Sensenbrenner, Charleta B. Tavares, Patsy A. Thomas and President Matthew D. Habash.

There being a quorum present, Council adopted a motion to dispense with reading of the minutes of the previous session and to accept the journal as recorded.

Maryellen O'Shaughnessy was absent for this meeting.

### **THE CITY BULLETIN Official Publication of the City of Columbus**

Published weekly under authority of the City Charter and direction of the City Clerk. The Office of Publication is the City Clerk's Office, 90 W. Broad Street, Columbus, Ohio 43215. The City Bulletin contains the official report of the proceedings of council. The Bulletin also contains all ordinances and resolutions acted upon by council, civil service notices and announcements of examinations, advertisements for bids and requests for professional services, and details pertaining to official actions of all city departments.

**THE FOLLOWING COMMUNICATIONS WERE RECEIVED IN THE CITY CLERK'S OFFICE AS OF WEDNESDY, JULY 2, 2003**

New Type: D1, D2  
To: Franklin Park Conservatory  
Joint Recreation District  
DBA Franklin Park Conservatory  
1777 E Broad St  
Columbus Ohio 43203

New Type: C2  
To: Columbus CVS LLC  
DBA CVS Pharmacy #5436  
2100 E Dublin Granville Rd  
Columbus Ohio 43229

Liquor Agency Contract:  
To: SAB & RRB Inc  
DBA Village Carryout  
851 W 5<sup>th</sup> Av  
Columbus Ohio 43212

Transfer Type: C1, C2  
To: SAB & RRB Inc  
DBA Village Carryout  
851 W 5th Ave  
Columbus Ohio 43212  
From: SAB & RRB Inc  
1489 W 5th Ave  
Columbus Ohio 43212

Transfer Type: C1, C2, D6  
To: PAK Gas Inc  
DBA Sunoco Schrock Rd  
1949 Schrock Rd  
Columbus Ohio 43229  
From: Mohammed B Kahn  
DBA PAK Gas  
1949 Schrock Rd & Gas Pumps  
Columbus Ohio 43229

Transfer Type: D5  
To: 3280 RCM Inc  
5720 Scarborough Blvd  
Columbus Ohio 43232  
From: 3280 RCM Inc  
3280 E Main St  
Columbus Ohio 43213

Stock Type: D1, D3, D3A, D6  
To: Macnair Inc  
2978 McKinley Av  
Columbus Ohio 43204

## ORDINANCES

### **ORD NO. 0834-2003**

To rezone 5360 Linworth Road (43235), being 5.16± acres located on the east side of Linworth Road at the terminus of Congressional Way, From: R, Rural District, To: PUD-6, Planned Unit Development District.

WHEREAS, application #Z03-011 is on file with the Building Services Division of the Department of Development requesting rezoning of 5.16± acres from R, Rural District to PUD-6, Planned Unit Development District; and

WHEREAS, the Development Commission recommends approval of said zoning change; and

WHEREAS, the City Departments recommend approval of said zoning change because the applicant's request for the PUD-6, Planned Unit Development District to develop ten twin-single dwellings at net density of 4.6± units per acre is in character with existing development in this area, including L-R2F, Limited Residential Two-family zoning to the south along Linworth Road The PUD-6 plan provides a public street with easements for utilities and sidewalks, a sidewalk and landscaping with street trees along Linworth Road and 0.85 acres of open space along the ravine to the north; now, therefore:

Whereas, any increase in density or the number of dwelling units shall require the subject property to be rezoned and that, per Building Services Division policy, any rezoning or variance application shall be forwarded to the Northwest Civic Association (NWCA) for review and recommendation and the applicant shall be advised to contact and meet with NWCA accordingly; and

Whereas, the respective PUD, Planned Unit Development Districts are established in maximum net density increments of PUD-2, PUD4, PUD-6, and PUD-8; and

Whereas, Section 3345.03, Density and dedicated lends, requires that each density shall be equal to the sum of all dwelling units proposed for the project application divided by the net land area of the site; the net land area of the site shall be the total land area of the site included in the application minus dedicated streets; and

Whereas, the gross density of this proposed 20-unit PUD-6 is 3.879 units per acre but the applicant's willingness to construct a public dedicated street results in a net density of 4.644 thereby necessitating the underlying PUD-6 district instead of the PUD-4 district; and

Whereas, the only changes made to the site plan enclosed herein titled "FINAL DEVELOPMENT PLAN FOR 5.516 ACRES, LINWORTH ROAD, CITY OF COLUMBUS, FRANKLIN COUNTY, OHIO", signed by Paul Cugini and dated May 2, 2003 since the Development Commission hearing on April 10, 2003 reflect those additional commitments made by the applicant to satisfy conditions of the Building Services Division staff and of the Northwest Civic Association; and

Whereas, this ordinance is conditioned upon the subject property being developed in accordance with the site plan enclosed herein titled "FINAL DEVELOPMENT PLAN FOR 5.516 ACRES, LINWORTH ROAD, CITY OF COLUMBUS, FRANKLIN COUNTY, OHIO", signed by Paul Cugini and dated May 2, 2003; and

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

Section 1. That the Official Zoning Map of the City of Columbus, as adopted by Ordinance No 0179-03, passed February 24, 2003, and as subsequently amended, is hereby revised by changing the zoning of the property as follows

5360 LINWORTH ROAD (43235), being 5.16± acres located on the east side of Linworth Road at the terminus of Congressional Way, and being more particularly described as follows

### **DESCRIPTION OF 5.156± ACRES OF LAND LOCATED ON THE EASTERLY SIDE OF LINWORTH ROAD AT CONGRESSIONAL WAY IN THE TOWNSHIP, COUNTY OF FRANKLIN, STATE OF OHIO**

Situated in the State of Ohio, County of Franklin, Township of Sharon being in Quarter Township 3, Township 2, Range 18, United States Military Lands, containing 5.156 acres, more or less, said 5.156 acres are comprised of all of a 4.000 acre tract of land described in the deed to Norma I Mendes, of record in Instrument No. 199903020052901 and all of that 1.156 acre tract of land described in the deed to Dallas D. DeLashmutt and Helen L DeLashmutt, of record in Deed Book 2474, Page 415, all of the above records being found in the Recorder's Office, Franklin County, Ohio; said 5.156 acres being more particularly described as follows:

Beginning, at the centerline intersection of Congressional Way and Linworth Road (60.00 feet in width), said beginning point being in the westerly line of said 4.000 acre tract;

Thence N 21° 05' 00" W, with the centerline of said Linworth Road and with the westerly line of said 4.000 acre tract. a distance of 201.00 feet, more or less, to an angle point;

Thence N 25° 04' 00" W, continuing with the centerline of said Linworth Road and with the westerly line of said 4.000 acre tract, a distance of 114.07 feet to the northwesterly corner of said 4.000 acre tract;

Thence N 69° 15' 54" E, with the northerly line of said 4.000 acre tract, a distance of 515.71 feet to a point in the westerly boundary of Katherine's Wood, a subdivision of record in Plat Book 69, Page 23, Recorder's Office, Franklin County, Ohio;

Thence S 00° 15' 00" E, with the easterly line of said 4.000 acre tract and with the westerly boundary line of said Katherine's Wood, a distance of 494.31 feet to a southwesterly corner of said Katherine's Wood, the same being in a northerly line of Briarbank No 2, a subdivision of record in Plat Book 34, Page 96, Recorder's Office, Franklin County, Ohio;

Thence S 89° 45' 00" W, with the southerly line of said 4.000 acre tract and with a northerly line of said Briarbank No 2, a distance of 18.33 feet to the northeasterly corner of said 1.156 acre tract, the same being a northerly corner of said Briarbank No.2;

Thence S 11° 13' 32" E, with an easterly line of said 1.156 acre tract and with a westerly line of said Briarbank No 2, a distance of 119.97 feet to a point;

Thence S 74° 51' 33" W, with a southerly line of said 1.156 acre tract and with a northerly line of said Briarbank No 2 and crossing Linworth Road, a distance of 295.89 feet to a point in the centerline of said Linworth Road;

Thence N 21° 05' 00" W, with said centerline of Linworth Road and with the westerly line of said 4.000 acre tract, a distance of 231.38 feet to the point of beginning and containing 5.156 acres of land, more or less;

The above description has been prepared for rezoning purposes only and it is not intended for land transfer purposes  
BAUER, DAVIDSON & MERCHANT, INC.  
Consulting Engineers

**To Rezone From: R, Rural District  
To: PUD-6, Planned Unit Development District**

Section 2. That a Height District of Thirty-five (35) feet is hereby established on the PUD-6, Planned Unit Development District on this property.

Section 3 That the Director of the Department of Development be, and he is hereby authorized and directed to make the said changes on the said original zoning map in the office of the Building Services Division and shall register a copy of the approved PUD-6, Planned Unit Development District and Application among the records of the Building Services Division as required by Section 3311.09 of the Columbus City Codes; said plan being titled "FINAL DEVELOPMENT PLAN FOR 5.156 ACRES, LINWORTH ROAD, CITY OF COLUMBUS, FRANKLIN COUNTY, OHIO," signed by Paul Cugini, Agent for the Applicant, and dated May 2, 2003.

Section 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law

Passed July 07, 2003, Matthew D. Habash, President of Council / Approved July 08, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

**ORD NO. 0944-2003**

To adopt the 2004 Tax Budget and to authorize and direct the City Auditor to submit said budget to the County Budget Commissions and to declare an emergency.

Whereas, under Section 5705.028 R.C. of Ohio, the City of Columbus is required to adopt a tax budget on or before July 14, 2003, and Whereas, under Section 5705.30 R.C. of Ohio, the tax budget so adopted must be submitted to the Auditors of Franklin County, Fairfield County and Delaware County, Ohio on or before July 20, 2003, and

Whereas, an emergency exists in the usual daily operation for the City of Columbus in that it is necessary to provide for the filing of this tax budget in order to preserve the public peace, property, health, safety and welfare of the City and its inhabitants; now, therefore,

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLUMBUS,  
FRANKLIN, FAIRFIELD, AND DELAWARE COUNTIES, STATE OF OHIO:**

That the annual tax budget on file in the City Clerk's Office with this resolution and marked "Exhibit A", is the annual tax budget for the City of Columbus setting forth in itemized form, the estimated amount of money for the year 2004 and the same is hereby adopted

Section 2. That the City Auditor be and he is hereby authorized to certify a copy of this tax budget to the Auditors of Franklin County, Fairfield County and Delaware County, Ohio

Section 3. That for the reasons stated in the preamble hereto which is made a part hereof this resolution is declared to be an emergency measure and shall take effect and be in force from and after its adoption and approval by the Mayor, or ten days after adoption if the Mayor neither approves nor vetoes the same

Passed July 07, 2003, Matthew D. Habash, President of Council / Approved July 08, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

**ORD NO. 0987-2003**

To authorize the Director of Public Utilities to enter into a contract with Metcalf & Eddy of Ohio, Inc. for the Dublin Road Water Plant Treatment Capacity Increase Study and Evaluation, for the Division of Water, to authorize the expenditure of \$485,125.00 from the Waterworks Enlargement Voted 1991 Bonds Fund, to amend the 2002 C.I.B., and to authorize the City Auditor to transfer funds within the Waterworks Enlargement Voted 1991 Bonds Fund. (\$485,125.00)

WHEREAS, it is necessary to authorize the Director of Public Utilities to enter into a contract with Metcalf & Eddy of Ohio, Inc. for Professional Engineering Services necessary for Dublin Road Water Plant Treatment Capacity Increase Study and Evaluation, for the preservation of public health, peace, property, and safety now, therefore,  
**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS**

Section 1. That the Director of Public Utilities be and is hereby authorized to enter into a contract with Metcalf & Eddy of Ohio, Inc. in the amount of \$485,125.00 for Professional Engineering Services necessary for Dublin Road Water Plant Treatment Capacity Increase Study and Evaluation for the Division of Water, Department of Public Utilities.

Section 2. That for the purpose of paying the cost thereof, the expenditure of \$485,125.00 is hereby authorized from Waterworks Enlargement Voted 1991 Bonds, Fund No.606, Department of Public Utilities, Division of Water, Dept. / Division No.60-09, Object Level Three 6682, Project No.690428, OCA Code 606428.

Section 3. That the City Auditor is hereby authorized to transfer the unencumbered balance in a project account to the unallocated balance account within the same fund upon receipt of certification by the Director of the Department administering said project; that the project has been completed and the monies are no longer required for said project except that no transfer shall be so made from a project account funded by monies from more than one source.

Section 4. The City Auditor is hereby authorized and directed to transfer funds from within the Waterworks Enlargement Voted 1991 Bonds Fund, Fund No.606, Department of Public Utilities, Division of Water, as follows:

FROM:	690006	Hoover Reservoir Erosion Control	\$235,125.00
		OCA Code 642900	
TO:	690428	DRWP Treatment Capacity Increase Study and Evaluation	\$235,125.00
		OCA Code 606428	

Section 5. That Section 1, Public Utilities/Water 60-09 or Ordinance 1674-02 is hereby amended as follows:

PROJECT NUMBER	PROJECT NAME	TOTAL BUDGET	
690428	DRWP Treatment Capacity Increase Study and Evaluation	\$ 485,125	*(1)*
690412	Home Road Bridge Improvements	\$6,382,162	*(2)*

Section 6. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

	2002 Original Budget	2002 Amended Budget	Comments
*(1)*	\$ 250,000	\$ 485,125	Authority Increased
*(2)*	\$6,617,287	\$6,382,162	Authority Reduced

Passed July 07, 2003, Matthew D. Habash, President of Council / Approved July 08, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

**ORD NO. 0992-2003**

To authorize the Director of Public Utilities to execute a Loan Agreement with the Ohio Water Development Authority and the Ohio Environmental Protection Agency, for a Sewerage and Drainage Division Project; and to declare an emergency.

WHEREAS, the City has submitted a loan application to the State of Ohio EPA for the Sewerage and Drainage Division's Bulen Avenue / Sycamore Street Sewer Replacement project, CIP No.650632, under the Ohio Water Pollution Control Loan Fund (WPCLF), which assistance will be of help in reducing total project costs to the City's sewerage customers; and

WHEREAS, it is necessary to authorize the Director of Public Utilities to execute the loan agreement to obtain financing for the construction of this capital improvements project; and

WHEREAS, an emergency exists in the usual daily operation of the Division of Sewerage and Drainage, Department of Public Utilities, in that it is immediately necessary to authorize the Director of Public Utilities to execute this loan agreement with the State of Ohio for financial assistance under the Ohio Water Pollution Control Loan Fund at the earliest practicable date, in order to expeditiously fulfill the requirements of the loan application and loan award process, to initiate project construction as soon as possible, and for the immediate preservation of the public peace, health, property and safety; Now Therefore:

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

Section 1. That the Director of Public Utilities be, and hereby is, authorized to execute a loan agreement with the Ohio Water Development Authority and the Ohio Environmental Protection Agency, for financial assistance to the City under the Ohio Water Pollution Control Loan Fund, for the Sewerage and Drainage Division's Bulen Avenue / Sycamore Street Sewer Replacement project, CIP No.650632, WPCLF No. C5392595-0 1, and to commit the City to comply with the terms of the Loan Agreement

Section 2. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same

Passed July 07, 2003, Matthew D. Habash, President of Council / Approved July 08, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

**ORD NO. 1070-2003**

To authorize the Public Service Director to enter into a contract with Mid-Ohio Regional Planning Commission for professional services associated with the development of the Linden Area Traffic Management Plan for the Transportation Division; to authorize the expenditure of \$250,000.00 from the 1995, 1999 Voted Streets and Highways Fund; and to declare an emergency. (\$250,000.00)

WHEREAS, a goal of the Columbus Covenant is to engage and promote strong, distinct and vibrant neighborhoods, and

WHEREAS, the area bounded by the North and South Area Commissions contains a good street network that serves both vehicular and pedestrian traffic, and

WHEREAS, there is a need to develop a comprehensive Linden Area Transportation Management Plan using professional services in support of the traffic calming and neighborhood mobility programs to enhance pedestrian safety, and

WHEREAS, the Transportation Division received and evaluated proposals in accordance with the Columbus City Codes, 1959, and

WHEREAS, an emergency exists in the daily operation of the Public Service, Transportation Division, in that it is immediately necessary to authorize a contract for this purpose and its resulting expenditure, thereby preserving the public health, peace, property, safety, and welfare; now, therefore

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

SECTION 1. That the Public Service Director be and hereby is authorized to enter into a contract for the Transportation Division with MORPC, 285 East Main Street, Columbus, Ohio 43215-5272 in an amount not to exceed \$250,000.00 for professional services associated with development of the Linden Area Traffic Management Plan.

SECTION 2. That the expenditure of \$250,000.00 or so much thereof as may be needed, be and hereby is authorized from the 1995, 1999 Voted Streets and Highways Fund, Fund 704, Department No. 59-09, Transportation Division, Object Level One Code 06, Object Level Three Code 6682, OCA Code 644377, Project 590105.

SECTION 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure, and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same

Passed July 07, 2003, Matthew D. Habash, President of Council / Approved July 08, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

**ORD NO. 1074-2003**

To rezone 5072 REED ROAD (43220), being 1.36± acres located on the east side of Reed Road, 600± feet north of Francisco Road, From: R-1, Residential District, To: L-C-2, Limited Commercial District (Rezoning Application Z02-101)

WHEREAS, application #Z02-101 is on file with the Building Services Division of the Department of Development requesting rezoning of 1.36± acres from R-1, Residential District to L-C-2, Limited Commercial District; and

WHEREAS, the Development Commission recommends Approval of said zoning change; and

WHEREAS, the City Departments recommend approval because the requested L-C-2, Commercial Planned Development District would permit office uses with appropriate limitations and separation from existing residences and is consistent with the Northwest Plan (1991) and established zoning and development patterns of the area, now, therefore

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

Section 1. That the Official Zoning Map of the City of Columbus, as adopted by Ordinance No 0179-03, passed February 24,2003, and as subsequently amended, is hereby revised by changing the zoning of the property as follows:

5072 REED ROAD (43220), being 1.36± acres located on the east side of Reed Road, 600± feet north of Francisco Road, and being more particularly described as follows

Situated in the Township of Perry, County of Franklin, State of Ohio;

Being a part of a tract of land deed by I Henry Miller and Marvel M. Miller, husband and wife, of the City of Columbus, County of Franklin and State of Ohio, to Ralph F. Klinger and Hattie Marie Klinger, as recorded in Deed Book 1747, page 646, of the Recorder's Office, County of Franklin

and more particularly described as follows

Beginning at a spike at the center line of Reed Road, which spike is located N2 deg.-40' East a distance of six hundred and thirty-nine feet (639) along center line of Reed Road from an iron pin at the intersection of the center line of Reed Road and Francisco Road, thence S86 deg.-39' East a distance of four hundred and forty-five and forty-one hundredths feet (455.41) to an iron pin, thence N 3 deg.-11' East a distance of one hundred thirty feet (130) to an iron pin, thence N 86 deg.-39' West a distance of four hundred fifty-six and fifty six hundredths feet (456.56) to a spike in the center line of Reed Road thence S2 deg.40' West a distance of one hundred thirty-feet (130) along center line of Reed Road to a spike at point of beginning and containing 1.36 acres, more or less.

Section 2. That a Height District of Thirty-five (35) feet is hereby established on the LC-2, Limited Commercial District on this property.

Section 3. That the Director of the Department of Development be, and he is hereby authorized and directed to make the said changes on the said original zoning map in the office of the Building Services Division and shall register a copy of the approved L-C-2, Limited Commercial District and Application among the records of the Building Services Division as required by Section 3370.03 of the Columbus City Codes; said text being titled, "LIMITATION TEXT," signed by Jeffrey L. Brown, dated May 8, 2003, and reading as follows:

#### LIMITATION OVERLAY TEXT DEVELOPMENT PLAN

PROPOSED DISTRICT:	L-C-2, Limited Commercial District
PROPERTY ADDRESS:	5072 Reed Road
OWNER:	DES Ventures, LLC
APPLICANT:	same as owner
DATE OF TEXT:	5/8/03
APPLICATION NUMBER:	Z02-101

1. INTRODUCTION: The property is located on the east side of Reed Road between Ritterhouse Square and Francisco Road.
2. PERMITTED USES: Those uses permitted in Section 3353.03 of the Columbus City Code except that no permitted use shall have a drive-thru window.
3. DEVELOPMENT STANDARDS: Unless otherwise indicated in the site plan and in the limitation text, the applicable development standards are contained in Chapter 3353, Commercial of the Columbus City Code
  - A. Density, Height, Lot and/or Setback commitments.
    1. The parking setback shall be 25 feet from Reed Road
    2. The parking and building setback shall be 12 feet from the east property line.
    3. The building setback shall be 16 feet from the north property line
  - B. Access, Loading, Parking and/or other Traffic related commitments.
    1. All circulation, curb cuts and access points shall be subject to the approval of the Division of Transportation.
    2. If the property to the south is rezoned and if the City requires that property owner to share its access point to Reed Road with the subject site, then the subject site's driveway shall be relocated to the south to become a joint access driveway for both properties.
  - C. Buffering, Landscaping, Open space and/or Screening commitments
    1. Street trees shall be planted evenly spaced along Reed Road at a ratio of one tree per thirty(30) feet of frontage.
    2. Evergreen trees shall be planted along the east side of the property at a ratio of one tree per twenty(20) linear feet

These trees may be evenly spaced or grouped

    3. A continuous 30" hedge shall be planted within the setback along Reed Road
    4. The developer shall install a six (6) foot high wood board on board fence along the north property line beginning at the northeast corner of the building and extending eastward to the northeast corner of the site. In addition the developer shall install one (1) shade tree for every thirty (30) feet of fencing on the parking lot side of the fence.
    5. The developer shall install landscaping along the north property line, which shall meet the screening requirement for parking lots, from the northwest corner of the building to the parking setback along Reed Road.
    6. Notwithstanding the above landscaping requirements, in areas where the developer maintains existing landscaping, that landscaping shall satisfy any landscaping requirement in this text provided the existing landscaping is of sufficient size as specified in this text or in the Columbus City Code
    7. All trees and landscaping shall be well maintained Dead items shall be replaced within six (6) months or the next planting season, whichever occurs first
    8. All trees meet the following minimum size at the time of planting Shade trees 2 ½ " caliper; Ornamental trees 1 ½" caliper; Evergreen trees 5 feet in height Tree caliper is measured six (6) inches from the ground.
  - D. Building design and/or Interior-Exterior treatment commitments
    1. Rooftop Mechanicals Screening Any mechanical equipment or utility hardware on the roof of a building shall be screened from view to prevent the equipment from being visible from the property line of the parcel. Ground mounted mechanical or utility equipment shall be fully screened from view from ground level by landscaping or any fence or wall utilizing comparable and compatible materials as the building materials.
  - E. Dumpsters, Lighting, Outdoor display areas and/or other environmental commitments
    - Lighting
      1. All external lighting shall be cut-off fixtures (down-lighting) and shall be designed to prevent offsite spillage.
      2. All external outdoor lighting fixtures to be used shall be from the same or similar manufacturers type to insure compatibility.
      3. Accent lighting shall be permitted provide such light source is concealed
      4. Any wall-mounted lighting shall be shielded to prevent offsite spillage
      5. Light poles in the parking lot shall not exceed 18 feet in height and shall be brown in color:
  - F. Graphics and Signage commitments
    1. All graphics and signage shall comply with the Graphics Code, Article 15, Title 33 of the Columbus City Code and any variance to those requirements will be submitted to the Columbus Graphics Commission for consideration.
  - G. Miscellaneous commitments
    1. The developer shall install a sidewalk along the Reed Road frontage if required by the City If said sidewalk is constructed, then the developer shall extend a sidewalk from the Reed Road sidewalk to the first row of parking spaces adjacent to Reed Road

2. The applicant shall comply with the parkland dedication ordinance by paying \$400/acre.
  3. The subject site shall be developed in general conformance with the site plan. The site plan may be slightly adjusted to reflect engineering, topographical or other site data developed at the time of development and engineering plans are completed. Any slight adjustment to the plan may be reviewed and approved by the Director of the Development Department or his designee upon submission of the appropriate data regarding the proposed adjustment.
  4. Prior to submission for zoning clearance the property owner shall dedicate forty feet from the centerline of Reed Road in a general warranty deed to the City of Columbus at no cost to the City.
- Section 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.
- Passed July 07, 2003, Matthew D. Habash, President of Council / Approved July 08, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

**ORD NO. 1104-2003**

To authorize the Finance Director to establish a Blanket Purchase Order, for turbine style water meters, from an established Universal Term Contract with Hersey Meters / Div. of Mueller Co., for the Division of Water, to amend the 2002 C.I.B., to authorize the City Auditor to transfer funds within the Water Works Enlargement Voted 1991 Bonds Fund, to authorize the expenditure of \$330,000.00 from the Water Works Enlargement Voted 1991 Bonds Fund, and to declare an emergency. (\$330,000.00)

WHEREAS, the Purchasing Office has established Universal Term Contract F1001326, with Hersey Meters / Div. of Mueller Co., for water meters and appurtenances, and

WHEREAS, the Division of Water will be changing out its 3" and 4" meters to turbine style meters under the Domestic Meter-Change-Out Program, and

WHEREAS, an emergency exists in the usual daily operation of the Division of Water, Department of Public Utilities, in that it is immediately necessary to authorize the Finance Director to establish a Blanket Purchase Order, for turbine style water meters, based on the above mentioned Universal Term Contract, for the Meter Repair activity of the Division of Water, for the immediate preservation of public health, peace, property and safety; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Finance Director be and is hereby authorized to establish a Blanket Purchase Order, with Hersey Meters/Div. of Mueller Co., for turbine style water meters, from an established Universal Term Contract, for the Division of Water, Department of Public Utilities.

Section 2. That the expenditure of \$330,000.00 or as much thereof as may be needed is hereby authorized from Water Works Enlargement Voted 1991 Bonds Fund No.606, Department 60, Division 09, OCA Code 606394, Object Level One 06, Object Level Three 6670, Project No.690394 to pay the cost thereof.

Section 3. That the City Auditor is hereby authorized to transfer the unencumbered balance in a project account to the unallocated balance account within the same fund upon receipt of certification by the Director of the department administering said project; that the project has been completed and the monies are no longer required for said project except that no transfer shall be so made from a project account funded by monies from more than one source.

Section 4. That the City Auditor is hereby authorized and directed to transfer funds within the Water Works Enlargement Voted 1991 Bonds Fund, Fund No.606, Department of Public Utilities, Division of Water, as follows:

From:	690468 Sunbury Rd. 12' Water Main	
	OCA Code 690468	\$330,000.00
To:	690394 Water Meter Renewal Program	
	OCA Code 606394	\$330,000.00

Section 5. That Section 1, Public Utilities / Water 60-09 of Ordinance 1674-02 is hereby amended as follows:

PROJECT NO.	PROJECT	2002 BUDGET	
690468	Sunbury Rd. 12' Water Main	\$ 570,000	*(1)*
690394	Water Meter Renewal Program	\$ 465,000	*(2)*

Section 6. That for reasons stated in the preamble hereto, which is hereby made a part hereof, this Ordinance is declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

	2002 ORIGINAL BUDGET	2002 AMENDED BUDGET	COMMENTS
*(1)*	\$900,000	\$570,000	AUTHORITY DECREASED
*(2)*	\$135,000	\$465,000	AUTHORITY INCREASED

Passed July 07, 2003, Matthew D. Habash, President of Council / Approved July 08, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

**ORD NO. 1117-2003**

To rezone 5499 BROADVIEW ROAD (43230), being 11.56± acres located on the south side of Broadview Road, 100± feet west of Panorama Drive, From: R, Rural District, To: PUD-6, Planned Unit Development District (Rezoning Z02-054).

WHEREAS, application #Z02-054 is on file with the Building Services Division of the Department of Development requesting rezoning of 11.56± acres from R, Rural District to PUD-6, Planned Unit Development District; and

WHEREAS, the Development Commission recommends approval of said zoning change; and

WHEREAS, the City Departments recommend approval of said zoning change noting that the proposed single-family use and density of 4.23 dwelling units per acre to develop a maximum of 47 detached single-family dwellings are generally compatible with surrounding single-family development and zoning. The applicant has satisfied Recreation and Parks stream and ravine protection concerns by agreeing that all buildings shall be located at least five (5) feet from the boundary of the Stream Preservation Zone and has resolved refuse collection issues. The proposed PUD-6 development plan was reviewed and approved by the Division of Fire, now, therefore:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Official Zoning Map of the City of Columbus, as adopted by Ordinance No 0179-03, passed February 24, 2003, and as



subsequently amended, is hereby revised by changing the zoning of the property as follows

5499 BROADVIEW ROAD (43230), being 11.56± acres located on the south side of Broadview Road, 100+ feet west of Panorama Drive, and being more particularly described as follows

Situated in the State of Ohio, County of Franklin, City of Columbus, being in Lot No 12, Section 4, Township 2, Range 17, United States Military Lands, containing 11.556 acres of Land, more or less 1.129 acres of said 11.556 acres being all of that 1.045 acre tract of land described in the deed to Albert K Germanson, Jr., of record in Official Record 10224009, 5.877 acres of said 11.556 acres, being part of PARCEL I and all of PARCEL II as said PARCELS are described in the deed to Albert K. Germanson, Jr. and Jon L. Germanson, of record in Deed Book 2738, Page 51, 3.533 acres of said 11.556 acres being all of the residue of that 3.549 acre tract of land described in the deed to Jmes F. Ellcessor, of record in Official Record 1 8042C 14 and 1.017 acres of said 11.556 acres being all of that 1 acre tract of land described in the deed to Rita K. Ellcessor, or record in Deed Book 3014, Page 465, all being of record in Recorder's Office, Franklin County, Ohio, said 11.556 acres being more particularly described as follows:

Beginning, for reference, at the centerline intersection of Broadview Road (60 feet in width) and Panorama Drive (50 feet in width), thence N 85° 00' 00" W, a distance of 88 feet, more or less, to the true point of beginning at the northeasterly corner of said Ellcessor 1 acre tract, the same being the northwesterly corner of that 1 acre tract described in the deed to Dorsey Lee Stocksdales and Susan Joy Stocksdales, of record in Instrument NQ 199811090286907, Recorder's Office, Franklin County, Ohio;

Thence from said true point of beginning S 4° 53' 01" W, with the easterly lines of said Ellcessor 1 acre tract and said 3.549 acre tract, the same being with the westerly line of said Stocksdales 1 acre tract, a distance of 882.71 feet to the southeasterly corner of said 2.549 acre tract;

Thence N 85° 00' 00" W, with the southerly line of said 3.549 acre tract, with the southerly lines of said PARCEL I and PARCEL II, the same being with the northerly line of Sleaford Village, a subdivision of record in Plat Book 67, Page 60, Recorder's Office, Franklin county, Ohio, a distance of 566.93 feet to the southwesterly corner of said PARCEL I;

Thence N 4° 27' 00" E, with the westerly line of said PARCEL I, with the westerly line of said 1.045 acre tract with the easterly line of Cherrybottom Village Section 3, a subdivision of record in Plat Book 53, Page 75, Recorder's Office, Franklin county, Ohio, a distance of 882.75 feet to the northwesterly corner of said 1.045 acre tract in the centerline of said Broadview Road;

Thence S 85° 00' 00" E, with the centerline of said Broadview Road, with the northerly line of said 1.045 acre tract, with said PARCEL I and PARCEL II, with said 3.549 acre tract and with said Ellcessor 1 acre tract, a distance of 573.61 feet to the true point of beginning and containing 11.556 acres of land, more or less.

The above description has been prepared from existing plat and deed records of Franklin County Recorder's Office and not an actual survey of the premises

**To Rezone From: R, Rural District  
To: PUD-6: Planned Unit Development District**

Section 2. That a Height District of Thirty-five (35) feet is hereby established on the PUD-6, Planned Unit Development District on this property.

Section 3. That the Director of the Department of Development be, and he is hereby authorized and directed to make the said changes on the said original zoning map in the office of the Building Services Division and shall register a copy of the approved PUD-6, Planned Unit Development District and Application among the records of the Building Services Division as required by Section 3311.09 of the Columbus City Codes; said plan being titled "BROADVIEW CONDOMINIUMS" signed by Jeffrey L Brown, Attorney for the Applicant and dated May 23, 2003.

Section 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law

Passed July 07, 2003, Matthew D. Habash, President of Council / Approved July 08, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

**ORD NO. 1131-2003**

To authorize and direct the Finance Director to establish a purchase order with Weir Supply c/o Kissick Incorporated for the purchase of a Galigher Vertical Sump Pump for the Division of Sewerage and Drainage, to authorize the expenditure of \$27,654.00 from the Sewer System Operating Fund (\$27,654.00)

WHEREAS, the Purchasing Office opened formal bids were opened on May5, 2003 for the purchase of one (1) Galigher Vertical Sump Pump, and,

WHEREAS, the apparent low bidder, The Henry P. Thompson Company was deemed non-responsive to the material specifications. Proposals asked for fourteen (14) inch impeller, V-belt drive, stainless steel shaft sleeve, and bottom agitator. Supplier quoted an eleven (11) inch impeller, direct drive, shaft sleeve was not stainless steel and the product did not offer bottom agitator. and,

WHEREAS, an award is being made to the lowest, responsive and responsible bidder, Weir Supply do Kissick Incorporated, and,

WHEREAS, a purchase order will be issued in accordance with the specifications of SA-000436BGB on file with the Purchasing Office, now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Director of Finance be and he is hereby authorized and directed to enter into a purchase order with Weir Supply do Kissick Incorporated for the purchase of one (1) Galigher Vertical Sump Pump for the Division of Sewerage and Drainage, in accordance with specifications on file in the Purchasing Office

SECTION 2. That the expenditure of \$27,654.00, or so much thereof as may be necessary, be and is hereby authorized from the Sewerage System Operating Fund, as follows, OCA 604793, Object Level One 06, Object Level Three 6624 to pay the cost thereof

SECTION 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law

Passed July 07, 2003, Matthew D. Habash, President of Council / Approved July 08, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

**ORD NO. 1135-2003**

To authorize and direct the Board of Health to accept donations from various hospitals in the amount of \$24,998.00; to authorize the appropriation of \$24,998.00 from the unappropriated balance of the Health Special Purposes Fund; to authorize the Director of Finance to enter into contract with Medtronics Physio-Control for the purchase of AED's; to authorize the expenditure of \$22,089.00 from the Health Special Purpose Fund; to waive the City Code provisions for competitive bidding. (\$24,998.00)

WHEREAS, AEDs are a proven life-saving device and an important component of effective medical treatment for heart attack victims; and,

WHEREAS, the City has commenced a pilot project to install AEDs and increase access to such life-savings devices; and,

WHEREAS, this effort is a partnership with Mount Carmel Hospital; Ohio State University Hospital System; OhioHealth; Children's

Hospital; the American Heart Association; the International Association of Firefighters Local 67; the City's Division of Fire and its Department of Health; and the American Federation of State, County and Municipal Employees Local 1632; and,

WHEREAS, \$24,998.00 in donations have been made available for the purchase of AED's; and,

WHEREAS, a bid waiver request is made to purchase AED's from Medtronics Physio-Control so as to install these needed safety devices as soon as possible; and,

WHEREAS, this ordinance is submitted as an emergency so as to allow the financial transaction to be posted in the City's accounting system as soon as possible Up to date financial posting promotes accurate accounting and financial management; and,

WHEREAS, an emergency exists in the usual daily operation of the Columbus Health Department in that it is immediately necessary to accept and appropriate donations, and to enter into contract with Medtronics Physio-Control for the purchase of AED's for the immediate preservation of the public health, peace, property, safety, and welfare; Now, therefore:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Board of Health is hereby authorized and directed to accept \$24,998.00 in donations from various hospitals.

SECTION 2. That from the monies in the Fund known as the Health Special Purposes Fund, Fund No.223, Subfund 136- AED Defibrillator Devices and from all monies estimated to come into said fund from any and all sources during the twelve months ending December 31, 2003, the sum of \$24,998.00 is hereby appropriated to the Health Department, Division No.50-01, as follows:

Object Level	OCA Code	Purpose	Amount
02	223501	Supplies-Operation & Maintenance	\$ 24,998
		Total for Grant No.223501	\$ 24,998

SECTION 3. That the Director of Finance is hereby authorized to enter into contract with Medtronics Physio-Control for the purchase of AED's.

SECTION 4. That the expenditure of \$22,089.00 is hereby authorized from the Health Department Special Purposes Fund, Fund No.223, Subfund 136- AED Defibrillator Devices, Division No.50-01, Object Level One 02, Object Level Three 2207, OCA Code 223501.

SECTION 5. That Section 329.06 of the Columbus City Code is hereby waived.

SECTION 6. That the monies appropriated in the foregoing Section 2 shall be paid upon the order of the Health Commissioner, and that no order shall be drawn or money paid except by voucher, the form of which shall be approved by the City Auditor.

SECTION 7. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed as amended July 07, 2003, Matthew D. Habash, President of Council / Approved as amended July 08, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

#### **ORD NO. 1520-2003**

To authorize the Public Utilities Director to enter into a five-month contract with Dove Building Services, for janitorial services at the Public Utilities Complex, for the Division of Water, to waive the provisions of formal competitive bidding, to authorize the expenditure of \$143,000.00 from Water Systems Operating Fund, and to declare an emergency (\$143,000.00)

WHEREAS, the Division of Water hired a consultant to set standards for janitorial services, to which our current vendor failed to comply, thereby terminating their contract, and

WHEREAS, Dove Building Services was already doing business with the City and works with our consultant to maintain their standards, and

WHEREAS, an emergency exists in the usual daily operation of the Division of Water, Department of Public Utilities, in that it is immediately necessary to authorize the Public Utilities Director to enter into a five-month contract, for janitorial services at the Public Utilities Complex, for the immediate preservation of public health, peace, property and safety; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Public Utilities Director be and is hereby authorized to enter into five-month a contract with Dove Building Services, for janitorial services at the Public Utilities Complex, for the Division of Water, Department of Public Utilities.

Section 2. That it is in the best interest of the City to waive the provisions of Section 329.06 of the Columbus City Codes, 1959, and such provisions are hereby waived

Section 3. That the expenditure of \$143,000.00 or as much thereof as may be needed is hereby authorized from Water Works Fund 600, Department 60-09, OCA Code 602755, Object Level One 03, Object Level Three 3396, to pay the cost thereof.

Section 4. That for reasons stated in the preamble hereto, which is hereby made a part hereof, this Ordinance is declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same

Passed July 07, 2003, Matthew D. Habash, President of Council / Approved July 08, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

#### **ORD NO. 1524-2003**

To authorize the Director of Public Utilities to modify the contract with Malcolm Pirnie, Inc., for Parsons Avenue Water Plant Operations Improvements, for the Division of Water, and to authorize the expenditure of \$430,000.00 from Waterworks Enlargement Voted 1991 Bonds Fund. (\$430,000.00)

WHEREAS: Contract No. CT-14228 was authorized by Ordinance No.1468-92, passed July 20, 1992, was executed August 28, 1992 and approved by the City Attorney on September 1, 1992, and

WHEREAS: It is necessary to modify Contract No. CT-14228 to provide for Parsons Avenue Water Plant Operations Improvements, and

WHEREAS: This modification provides for an increase of \$430,000.00 to this contract, and

WHEREAS: It is necessary to authorize the Director of Public Utilities to modify Contract No. CT-14228, for Parsons Avenue Water Plant Operations Improvements, for the preservation of public health, peace, property and safety now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. The Director of Public Utilities be and is hereby authorized to modify Contract No. CT-14228 with Malcolm Pirnie, Inc. in the amount of \$430,000.00, for Parsons Avenue Water Plant Operations Improvements, for the Division of Water, Department of Public Utilities, Contract No. 849, terms and conditions of which are on file in the office of the Division of Water.

Section 2. That for the purpose of paying the cost thereof the expenditure of \$430,000.00 is hereby authorized from the Waterworks Enlargement Voted 1991 Bonds Fund, Fund 606, Department of Public Utilities, Division of Water, Dept. / Division No.60-09, Object Level Three 6682, Project No. 690328, OCA Code 642900.

Section 3. The City Auditor is hereby authorized to transfer the unencumbered balance in a project account to the unallocated balance account within the same fund upon receipt of certification by the Director of the Department administering said project; that the project has been completed and the monies are no longer required for said project except that no transfer shall be made from a project account funded by monies from more than one source.

Section 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed July 07, 2003, Matthew D. Habash, President of Council / Approved July 08, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

#### **ORD NO. 1531-2003**

To authorize the expenditure of \$25,000.00 from the Recreation and Parks Grant Fund in conjunction with the Spring-Long Parkland Improvements Project, and to declare an emergency (\$25,000.00)

WHEREAS, various expenditures for labor, material and equipment are necessary within the Recreation and Parks Department for the Spring-Long Parkland Improvements Project; and

WHEREAS, grant funding is available for these expenditures; and

WHEREAS, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary to expend said funds for the preservation of public health, peace, property and safety; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the purchase of labor, materials and equipment is necessary in conjunction with the Spring-Long Parkland Improvements Project

SECTION 2. That the expenditure of \$25,000.00, or so much thereof as may be necessary, be and is hereby authorized from the Recreation and Parks Grant Fund No. 286, as follows, to pay the cost thereof All work will be based on three estimates and will not exceed \$20,000.00 per contract or job.

Fund Type	Dept. No.	Grant No.	Grant Title	Object Level 3	OCA Code	Amount
Grant	51-01	510206	Spring & Long Park Dev.	6680	510206	\$25,000.00

SECTION 3. That the monies in the foregoing Section2 shall be paid upon order of the Director of Recreation and Parks, and that no order shall be drawn or money paid except by voucher, the form of which shall be approved by the City Auditor.

SECTION 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same

Passed July 07, 2003, Matthew D. Habash, President of Council / Approved July 08, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

#### **ORD NO. 1538-2003**

To authorize the Columbus Fire Chief to accept a grant award from the State of Ohio Division of EMS for the purchase of personal protective apparel for the Division of Fire and to appropriate \$9,241.98 from the unappropriated balance of the General Government Grant Fund. (\$9,241.98)

WHEREAS, the Columbus Division of Fire received a grant award from the State of Ohio Division of EMS for the purchase of personal protective apparel for EMS personnel; and

WHEREAS, it is in the best interest of the City of Columbus for the Fire Chief to accept this grant; and

WHEREAS, an appropriation is needed to cover costs associated with purchasing these items; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That the Columbus Fire Chief be and he is hereby authorized and directed to accept a grant award in the amount of \$9,241.98 for the purchase of personal protective apparel

Section 2. That from the unappropriated monies in the General Government Grant Fund, and from any and all sources estimated to come into said fund and unappropriated for any other purpose during the fiscal year ending December31, 2003, the sum of \$9,241.98 is appropriated to the Division of Fire as follows:

Division 30-04, Fund 220, Object Level 1 02, OCA 343008, Grant #343008, Amount \$9,241.98.

Section 3. That the monies appropriated in the foregoing Section 2 shall be paid upon order of the Director of Public Safety; and that no order shall be drawn or money paid except by voucher, the form of which shall be approved by the City Auditor.

Section 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law

Passed July 07, 2003, Matthew D. Habash, President of Council / Approved July 08, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

#### **ORD NO. 1565-2003**

To authorize the Public Service Director to enter into a contract for the Transportation Division with G & G Cement Contractors for construction of the Alley South of Mooberry Project; to authorize the expenditure of \$95,075.80 from the Voted 1995, Voted 1999 Streets and Highways Fund, and to declare an emergency (\$95,075.80)

WHEREAS, bids were received and tabulated on June 5,2003, for the Alley South of Mooberry Project; and

WHEREAS, a satisfactory bid has been received; and

WHEREAS, it is necessary to provide for construction inspection costs; and

WHEREAS, an emergency exists in the usual daily operation of the Public Service Department, Transportation Division, in that the contract should be let immediately so that the work may proceed without delay, thereby preserving the public health, peace, safety and welfare; now, therefore  
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Public Service Director be and is hereby authorized to enter into a contract with G & G Cement Contractors, 2849 Switzer Avenue, Columbus, Ohio 43219, for the construction of the Alley South of Mooberry Project in the amount of \$66,855.80 for the Transportation Division in accordance with the specifications and plans on file in the office of the Director of Public Service, which are hereby approved; to obtain and pay for the necessary inspection costs associated with the project up to a maximum of \$28,220.00 therefore.

SECTION 2. That for the purpose of paying the cost of the contract and inspection, the sum of \$95,075.80, or so much thereof as may be needed, is hereby authorized to be expended from 1995, 1999 Voted Streets and Highways Fund, No. 704, for the Transportation Division, Dept/Div. 59-09, OCA Code 644385, Object Level Three 6631 and Project 440005

SECTION 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same

Passed July 07, 2003, Matthew D. Habash, President of Council / Approved July 08, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

#### **ORD NO. 1570-2003**

To authorize the Director of the Department of Development to modify a contract with the Columbus Downtown Development Corporation; and to authorize the expenditure of \$50,000 from the General Fund (\$50,000.00)

WHEREAS, the Director of the Department of Development desires to modify Contract Number D1003826 with the Columbus Downtown Development Corporation by extending the agreement until December 31, 2003; and

WHEREAS, Contract Number DLO03826 provides the Columbus Downtown Development Corporation with funding to implement and oversee downtown development projects and programs as well as forge public-private partnerships with the goal of generating private investment for downtown; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Development Director is hereby authorized to modify Contract Number DL003826 with the Columbus Downtown Development Corporation by increasing the contract amount from \$150,000 to \$200,000 and by extending the term four months to December 31, 2003.

Section 2. That for the purpose as stated in Section 1, the expenditure of \$50,000, or so much thereof as may be necessary, is hereby authorized from the Department of Development, Downtown Development Office, Division 44-01, General Fund, Fund 010, OCA Code 440313, Object Level One 03, Object Level Three 3336.

Section 3. That these modifications are made pursuant to Section 329.16 of the Columbus City Code

Section 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law

Passed July 07, 2003, Matthew D. Habash, President of Council / Approved July 08, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

#### **ORD NO. 1604-2003**

To accept the plat titled ASHERTON WOODS, from M/I SCHOTTENSTEIN HOMES, INC., an Ohio Corporation, by Stephen M. Caplinger, Vice President Land Operations.

WHEREAS, the plat titled ASHERTON WOODS (hereinafter "plat"), has been submitted to the City Engineers Office for approval and acceptance; and

WHEREAS, M/I SCHOTTENSTEIN HOMES, INC., an Ohio Corporation, by Stephen M. Caplinger, Vice President Land Operations, owner of the platted land, desires to dedicate to the public use all or such parts of the Lanes, Streets, Road and Way shown on said plat and not heretofore so dedicated; and

WHEREAS, after examination, it has been found to be in the best interest of the City to accept said plat; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the plat titled ASHERTON WOODS on file in the office of the City Engineer, Transportation Division, be and the same is hereby accepted.

Section 2. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed July 07, 2003, Matthew D. Habash, President of Council / Approved July 08, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

#### **ORD NO. 1607-2003**

To authorize the direct the Director of Recreation and Parks to enter into contract with Columbus Public Schools Food Service for services in conjunction with the 2003 Summer Food Service Program, to authorize the expenditure of \$1,115,000.00 from the Recreation and Parks Grant Fund, (\$1,115,000.00)

WHEREAS, the contract for the 2003 Summer Food Service program will be awarded in compliance with Section 329.02 of the Columbus City Codes; and

WHEREAS, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary to enter into said contract for the preservation of public health, peace, property and safety; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Director of Recreation and Parks be and he is hereby authorized and directed to enter into an contract with the Columbus Public Schools Food Service for services in conjunction with the 2003 Summer Food Service Program, in accordance with specifications on file in the Recreation and Parks Department

Section 2. That the expenditure of \$1,115,000.00, or so much thereof as may be necessary, be and is hereby authorized from Recreation and Parks Grant Fund, as follows, to pay the cost thereof

Fund Type; Grant, Dept. No.; 51-01, Fund No.; 286, Grant No.; 510016, Object Level 3; 3337, OCA Code; 512016, Amount; \$1,115,000.00

Section 3. That the City Auditor is hereby authorized to transfer the unencumbered balance in a project account to the unallocated balance account within the same fund upon receipt of certification by the Director of the Department administering said project that the project has been completed and the monies are no longer required for said project; except that no transfer shall be so made from a project account funded by monies from more than one source

Section 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed as amended July 07, 2003, Matthew D. Habash, President of Council / Approved as amended July 08, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

**ORD NO. 1610-2003**

To rezone 4209 SULLIVANT AVENUE (43228), being 0.25± acres located on the south side of Sullivant Avenue, 207± feet east of Georgesville Road, From: R-4, Residential District, To: L-CA, Limited Commercial District and to declare an emergency. (Rezoning # Z03-022)

WHEREAS, application #Z03-022 is on file with the Building Services Division of the Department of Development requesting rezoning of 0.25± acres from R-4, Residential District to L-CA, Limited Commercial District; and

WHEREAS, the Development Commission recommends approval of said zoning change; and

WHEREAS, the Greater Hilltop Area Commission recommends approval of said zoning change; and

WHEREAS, the City Departments recommend approval of said zoning change because the requested L-C-4, Limited Commercial District would allow the expansion of the existing veterinary office and parking lot from the adjacent G4 lot to the west The L-C-4 text includes limitations in consideration of surrounding residential uses The proposal is consistent with The Greater Hilltop Plan's (2001) land use recommendations and the zoning and development patterns of the area, now, therefore:

WHEREAS, an emergency exists in the usual daily operation in the City of Columbus in that it is immediately necessary to begin and finish the proposed building addition this year before bad weather sets in for the immediate preservation of the public peace, property, health and safety; now therefore:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Official Zoning Map of the City of Columbus, as adopted by Ordinance No 0179-03, passed February 24, 2003, and as subsequently amended, is hereby revised by changing the zoning of the property as follows

4209 SULLIVANT AVENUE (43228), being 0.25± acres located on the south side of Sullivant Avenue, 207± feet east of Georgesville Road, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus, being forty-four (44) feet in equal width off the entire west side of Lot Number 93 and nine (9) feet in equal width off the entire east side of Lot Number 94 in GEORGIAN HEIGHTS No.5, as the same are numbered and delineated upon the recorded plat thereof, of record in Plat Book 27, Page 82, Recorder's Office, Franklin County, Ohio and being more particularly described as follows

Beginning at the northeasterly corner of said Lot 94, the northwesterly corner of Lot 93 on the southerly right-of-way line of Sullivant Avenue (60 feet wide right-of-way);

Thence North 87° 44' 00" East 44.00 feet, along said right-of-way line to a point;

Thence South 02° 16' 00" East 100.00 feet, crossing said Lot 93, being 44.00 feet easterly from and parallel to the westerly line of said Lot 93, to a point;

Thence South 87° 44' 00" West 53.00 feet, along the southerly line of said Lots 93 and 94, to a point;

Thence North 02° 16' 00" West 100.00 feet, crossing said Lot 94, being 9.00 feet westerly from and parallel to the easterly line of said Lot 94, to a point on the southerly right-of-way line of Sullivant Avenue;

Thence North 87° 44' 00" East 9.00 feet, along said right-of-way line, to the Point of Beginning, containing 0.122 acres of land, more or less, subject to any easements, restrictions or right-of-ways of previous record

NOTE: Bearings are referenced to the recorded plat of GEORGIAN HEIGHTS No.5 in Plat Book 27, Page 82.

The above description was prepared by Site Engineering, Inc from available records.

**To Rezone From: R-4, Residential District**

**To: L-C-4, Limited Commercial District**

Section 2. That a Height District of Thirty-five (35) feet is hereby established on the LC4, Limited Commercial District on this property.

Section 3. That the Director of the Department of Development be, and he is hereby authorized and directed to make the said changes on the said original zoning map in the office of the Building Services Division and shall register a copy of the approved L-CA, Limited Commercial District and Application among the records of the Building Services Division as required by Section 3370.03 of the Columbus City Codes; said text titled, "LIMITATION OVERLAY TEXT DEVELOPMENT PLAN," signed by Tony K Xenikis, Applicant, and dated June20, 2003, and the text reading as follows:

**LIMITATION OVERLAY TEXT DEVELOPMENT PLAN**

PROPOSED DISTRICT:	L-C-4, COMMERCIAL DEVELOPMENT
PROPERTY ADDRESS:	4209 SULLIVANT AVENUE (43228)
OWNER:	TONY K. XENIKIS
APPLICANT:	TONY K. XENIKIS
DATE OF TEXT:	JUNE 20,2003
APPLICATION	# Z03-022

1. INTRODUCTION: The subject property consists of 0.25 ± acre of land located on the south side of Sullivant Avenue between Georgesville Road and Dixie Court and is more particularly identified in the legal description submitted as part of the Rezoning Application ("Property"). The existing zoning is RA, Residential District. The property to the west of this lot is zoned CA and the property across the street to the north is Commercial (bowling alley) in Franklin Township. The property to the east of this lot is zoned RA and the property to the south is R-2. In order to exclude offensive uses that are permitted in the C-4 district, it is necessary that this limitation text be applied to this Rezoning Application.

2. PERMITTED USES: The permitted uses shall be limited to those uses defined by Chapter 3356, C-4 REGIONAL SCALE COMMERCIAL DISTRICT, excluding the following uses  
Amusement Arcade; Automotive and Light Truck Dealers; Automotive Sales, Leasing and Rental; Bars, Cabarets, Nightclubs, Taverns; Billboards; Check Cashing and Loans; Community Food Pantry; Drive-In-Motion Picture Theaters; Electric Substations; Farm Equipment and Supply Stores; Hospitals; Hotels & Motels; Lawn and Garden Equipment and Supplies Stores; Limousine and Taxi Service; Missions/Temporary Shelters; Motorcycle, Boat, and Other Motor Vehicle Dealers; Motor Vehicle; Accessories and Parts Dealers; Outdoor Power Equipment Stores; Pawn Brokers; Performing Arts, Spectator Sports, and Related Industries; Recreational Vehicle Dealers; Tattoo Parlor; Theaters, Dance Companies and Dinner Theaters

3. DEVELOPMENT STANDARDS: unless otherwise specified in the following Development Standards, the Development Standards shall be as specified in the Columbus City Code as applicable to the Chapter 3356 C-4 REGIONAL SCALE COMMERCIAL DISTRICT.

A. Density, Height, Lot and I or Setback Commitments:

\*

The maximum building height of any structure shall not exceed 35 feet.

B. Access, Loading, Parking, and I or other Traffic Related Commitment

- \* All circulation, curb cuts, and access points shall be regulated by the Division of Transportation
- C. Buffering, Landscaping, Open space and / or Screening Commitment
  - \* A six foot privacy fence that separates the subject property from the property to the immediate south and the immediate east shall be maintained in good repair. The existing privacy fence on the east side of the property shall be extended the length of the proposed parking area.
  - \* Landscaping shall be completed with grass along the perimeter of Sullivant Avenue Street trees shall be planted within the required setback along Sullivant Avenue to include 2 shade trees at a minimum 2 1/2" caliper. A continuous row of shrubbery shall be planted along the parking lot area facing Sullivant Avenue
- D. Building design and / or Interior-Exterior Treatment Commitments: N/A
- E. Dumpsters, Lighting, Outdoor Display Areas and / or Other Environmental Commitments
  - \* All waste and refuse shall be contained and fully screened from view by a solid wall or fence to a minimum height of six feet.
  - \* Parking lot lighting shall be no higher than 14 feet.
- F. Graphics and Signage Commitment
  - \* All signage and graphics shall conform to the City of Columbus Graphic code Any variances to these requirements will be submitted to the Columbus Graphics Commission for consideration

Section 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or 10 days after its passage if the Mayor neither approves nor vetoes the same.

Passed as amended July 07, 2003, Matthew D. Habash, President of Council / Approved as amended July 08, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

#### **ORD NO. 1612-2003**

To rezone 4610 SAWMILL ROAD (42230), being 3.1± acres located on the east side of Sawmill Road, 340± feet north of Henderson Road. From: R, Rural District, To: L-C-2, Limited Commercial District

WHEREAS, application #Z03-017 is on file with the Building Services Division of the Department of Development requesting rezoning of 3.1± acres of R, Rural District to L-C-2, Limited Commercial District;

WHEREAS, the Development Commission recommends approval of said zoning change; and

WHEREAS, the City Departments recommend approval of said zoning change because the requested L-C-2, Limited Commercial District is an appropriate transitional land use from the retail commercial uses to the north and residential uses to the south. The request includes development standards consistent with the established zoning and development pattern of the area, therefore;

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Official Zoning Map of the City of Columbus, as adopted by Ordinance No 0179-03, passed February 24, 2003, and as subsequently amended, is hereby revised by changing the zoning of the property as follows

#### **Z03-017, 4610 SAWMILL ROAD DESCRIPTION OF 3.074 ACRES**

Situated in the State of Ohio, County of Franklin, City of Columbus, and being the Residual acres of an original 1.795 acre tract in instrument number 200301280028140, and A 1.795 acre tract in instrument number 199710240126767, Franklin County Recorder's Records: Beginning for reference at a Franklin County monument #5242 at the centerline intersection of Henderson Road and Sawmill Road; Thence N. 02° 03' 04" E. Following the centerline of Sawmill Road, a distance of 370.77 feet to a point; Thence S. 87° 10' 17" E. Crossing Sawmill Road, a distance of 50.00 feet to a set iron pin; Thence N. 02° 03' 04" E. Following the easterly proposed right-of-way line of Sawmill Road, a distance of 300.00 feet to a set iron pin; Thence S. 87° 10' 17" E. Following the southerly line of a 1.519 acre tract conveyed to Aldi, Inc., a distance of 446.30 feet to a set iron pin; Thence S. 02° 03' 04" W. Following the westerly line of a 1.597 acre tract conveyed to Lois K. Becker Tr., a distance of 300.00 feet to a set iron pin;

Thence N. 87° 10' 17" W. Following the northerly lines of a 1.388 and a 1.029 acre tracts Conveyed to First Alliance Church, a distance of 446.42 feet to the point of beginning, Containing 3.074 acres, more or less. Subject to all easements, right-of-ways, and Restrictions.

This description was based on an actual field survey by the Jerry A. Malott surveying company in March, 2003.

Bearings were based on the centerline of Sawmill Road as being N. 02° 03' 04" E. As shown on the centerline survey for the intersection improvement for Sawmill Road-Henderson Road.

All set iron pins are ¾ " in diameter and 30" in length with plastic I.D. caps.

Jerry a. Malott

Registered surveyor #5963

#### **To Rezone From: R, Rural District To: L-C-2, Limited Commercial District**

Section 2. That a Height District of Thirty-five (35) feet is hereby established on LC-2, Limited Commercial District on this property.

Section 3. That the Director of the Department of Development be, and he is hereby authorized and directed to make the said changes on the said original zoning map in the office of the Building Services Division and shall register a copy of the approved L-C-2, Limited Commercial District and Application among the records of the Building Services Division as required by Section 3370.03 of the Columbus City Codes; said text being titled "DEVELOPMENT TEXT" and said plan being titled, "SAWMILL PLACE OFFICE PARK," both dated May 28,2003 and signed June 6,2003 by Donald Plank, Attorney for Applicant, and reading as follows

#### **DEVELOPMENT TEXT L-C-2, LIMITED COMMERCIAL DISTRICT 3.1+ Acres**

EXISTING DISTRICT:	R, RURAL DISTRICT
PROPOSED DISTRICT:	L-C-2, LIMITED COMMERCIAL
PROPERTY ADDRESS:	4610 SAWMILL ROAD, COLUMBUS, OH 43220
OWNER:	JOY E. HERBERT ET. AL. (3) C/O DONALD PLANK, ESQ., SHULER PLANK & BRAHM,

APPLICANT: 145 EAST RICH STREET, COLUMBUS, OH 43215  
 THE BIGLER COMPANY C/O DONALD PLANK, ESQ., SHULER PLANK & BRAHM, 145  
 EAST RICH STREET, COLUMBUS, OH 43215  
 DATE OF TEXT: MAY 28, 2003  
 APPLICATION NUMBER: Z03-017

1. INTRODUCTION: The subject site consists of two (2) tax parcels (590-184731, 580-184725) totaling 3.1 + acres located on the east side of Sawmill Road, 320+ feet north of Henderson Road. The 3.1+ acres is zoned R, Rural from annexation in 1980. Abutting property to the north was recently rezoned to the L-C-4, Limited Commercial District to permit general retail uses commercial uses on the north sub-area and general and medical offices on the south sub-area directly abutting the subject site. A large hospital and medical office facility is located directly across Sawmill Road from the subject site. Applicant proposes to develop an office complex on the subject site in accordance with the submitted site plan titled "Sawmill Place Office Park" dated May 28, 2003 and signed June 6, 2003 by Donald Plank, Attorney for Applicant, hereinafter referred to as "The Plan".
2. PERMITTED USES: The following uses shall be permitted:  
 All office uses of Chapter 3353, C-2, Commercial District, adult/child day care and veterinarian office.
3. DEVELOPMENT STANDARDS: Except as specified herein, or as depicted on The Plan, the applicable development standards shall be as specified in the C-2, Commercial District
  - A. Density, Height, Lot and/or Setback Commitments
    1. Building setbacks shall be as depicted on The Plan
    2. Parking and pavement setbacks shall be as depicted on The Plan, except that the east property line landscaped setback shall not be required if the abutting property to the east is rezoned for commercial use and incorporated into this site. A dumpster may be placed as depicted on The Plan
    3. The site shall be designated a H-35 Height District with a further limitation to an absolute height of 8 feet, as measured in Section 3303.08, Columbus Zoning Code
    4. Lot coverage for all building and pavement shall not exceed 85% of lot area, in accordance with the Sawmill Corridor Development Standards
    5. All existing building(s) shall be removed in conjunction with redevelopment of the site.
  - B. Access, Loading, Parking and/or other Traffic Related Commitments
    1. The site shall be accessed via one (1) full turning movement curb cut located as depicted on The Plan and in alignment with the existing curb cut on the west side of Sawmill Road, subject to final design and engineering approval by the Division of Transportation. There shall be no vehicular access to Sawmill Road from the southern 150 feet of the site.
    2. Parking and vehicle circulation areas shall be designed as depicted on The Plan
    3. Major driving aisles and curb lanes shall be defined with raised island dividers or medians. Raised areas shall be planted with trees or other landscaping to increase visibility of the island or divider
    4. Right of way totaling 50 feet from centerline is required by the City of Columbus. Right of way totaling 50 feet from centerline presently exists
  - C. Buffering, Landscaping, Open Space and/or Screening Commitments
    1. All parking/pavement setback areas depicted on The Plan shall be maintained in live vegetation, other than sidewalks, as depicted.
    2. A street tree row shall be established along Sawmill Road in accordance with the Sawmill Corridor Development Standards. The street tree row shall contain one (1) tree for approximately every 40 feet of lineal frontage. Skyline Honey Locust, or similar trees, shall be used. The trees shall be approximately evenly spaced and planted approximately ten (10) feet from edge of right-of-way. Tree spacing may be adjusted for sight distance requirements
    3. A "Sawmill Hedge" shall be placed in the parking setback along and parallel to Sawmill Road in accordance with the Sawmill Corridor Development Standards. The "Sawmill Hedge" shall consist of evergreen plant material to provide headlight screening to a height of 36". The height of headlight screening shall be measured at the elevation of the nearest section of the adjacent on-site parking area. A "Sawmill Hedge" shall also be planted along and parallel to the entire south property line from the "Sawmill Hedge" parallel to Sawmill Road to the east landscaped setback.
    4. Tree planting shall be required within the site parking area as depicted on The Plan
    5. Landscaping requirements of this section and as depicted on The Plan, shall be the applicable landscaping requirements for the site and shall supercede requirements of Chapter 3342.
    6. All trees and landscaping shall be well maintained. Weather permitting, dead items shall be replaced within six months.
    7. The minimum size of trees at the time of planting shall be as follows: Deciduous - 2 1/2 inches, Ornamental - 1 1/2 inches, Evergreen - 5 feet, Shrubs - 2 gallon.
    8. The east landscaped setback/buffer area depicted on The Plan shall be landscaped with two (2) staggered rows of evergreen trees, as depicted on The Plan, and shall also meet headlight screening (5' high, 75% opacity) requirements with the addition of additional plant material and/or fencing and/or mounding. Pursuant to Section 3A(2), the landscaping, mounding and parking lot screening in the east buffer shall not be required if the adjacent property to the east is rezoned for commercial use and incorporated into this development
    9. The base of the ground sign shall be landscaped
  - D. Building Design and/or Interior-Exterior Treatment Commitments
    1. No building shall exceed one (1) story above grade.
    2. The minimum primary roof pitch shall be 8:12 and roofs shall be hipped in design.
    3. Building materials shall be traditional and natural in appearance, using stone or brick other than window, door and roof areas. A dimensional shingle shall be used for roof materials. Building(s) shall be finished on all sides (elevations with the same level and quality of finish)
    4. There shall be no roof mounted mechanical equipment. Ground mounted mechanical or utility equipment shall be fully screened from view from any perimeter property line by landscaping or a fence or wall
    5. Building illumination shall be permitted provided such light source is concealed. No colored light shall be used to light the exterior of any building
    6. As depicted on The Plan, a five (5) foot fence will be placed in the three (3) side yards between the four (4) buildings along the south property line. The fence will be placed parallel to the south property line approximately at the south walls of the south buildings. The fence is only intended only to provide a barrier to prevent access to the north or south between the buildings.
  - E. Dumpsters, Lighting, Outdoor Display Areas and/or Other Environmental Commitments
    1. All parking lot lighting, except decorative lighting, such as at pedestrian entrances to the buildings, shall be cutoff fixtures (down lighting).

2. All parking lot light poles and fixtures shall be a dark color and shall be from the same or similar manufacturer's type to insure aesthetic compatibility.
  3. Parking lot light poles shall not exceed a maximum of 18 feet in height
  4. Parking lot lighting shall be located in landscaped islands to protect both lights and vehicles from possible damage
  5. Building mounted lighting, except decorative lighting at building entrances, shall utilize cutoff style fixtures All lighting shall be installed to minimize any light spillage offsite
  6. All new or relocated utility lines shall be installed underground, unless the applicable utility company requires above ground installation
  7. The on-premise dumpster shall be screened from view on three (3) sides with a six (6) foot high, opaque enclosure and with gates on the 4th side.
- F. Graphics and Signage Commitments
1. All graphics shall conform to Article 15 of the Columbus City Code, as it applies to the C-2, Commercial District Any variance to the applicable requirements of the C-2, Commercial District, shall be submitted to the Columbus Graphics Commission
  2. Any ground sign shall be monument style.
- G. Miscellaneous.
1. The plan titled "Sawmill Place Office Park" dated May 28, 2003 and signed June 6, 2003 by Donald Plank, Attorney for Applicant, represents the intended development of the site, however, based on final engineering of the site, applicant may make slight adjustments to the development plan, including combination in pairs of two (2) of the adjacent buildings depicted to form one (1) building rather than two (2). No single building shall exceed 10,000 square feet in size.
  2. The site consists of two (2) tax parcels, with each tax parcel located in a different school district The North parcel is 590-184731 (Columbus - Dublin School District) and the south parcel is 580-184725 (Columbus - Upper Arlington School District). It is not possible to combine the two (2) tax parcels because of the different school taxing districts For purposes of this development text and a Certificate of Zoning Clearance, the school district boundary and resulting two(2) parcels shall be disregarded and the site shall be treated as a single development site as depicted on the plan titled "Sawmill Place Office Park" dated May 28, 2003
  3. A monetary payment at the rate of \$400.00/acre shall be made to the Recreation and Parks Department in conjunction with a request for a Certificate of Zoning Clearance, to comply with the Parkland Dedication Ordinance
  4. Sawmill Road, between Bethel Road and Henderson Road, is being downgraded from a 4-2D arterial to a 4-2 arterial by the City of Columbus and is presently a designated 100 foot right of way by the Franklin County Engineer for the Columbus and township portions, respectively In conjunction with the treatment of Sawmill Road as a 4-2 arterial by the City of Columbus, 50 feet of right of way from centerline is required with this rezoning and 50 feet of right of way is existing The required Sawmill Road building setback line is established as 50 feet by this ordinance for this site, based on the City of Columbus treatment of this section of Sawmill Road as 4-2 arterial and the requirement of 50 feet of right of way. "The Plan" depicts a Sawmill Road building setback of 50 feet.
- Section 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law  
 Passed as amended July 07, 2003, Matthew D. Habash, President of Council / Approved as amended July 08, 2003 Michael B. Coleman,  
 Mayor / Attest, Andrea Blevins, CMC, City Clerk.

**ORD NO. 1613-2003**

To authorize and direct the Director of Recreation and Parks to accept a grant in the amount of \$1,204,967.00 from the Ohio Department of Education for the operation of the 2003 Summer Food Service Program, to appropriate these funds to the Recreation and Parks Grant Fund, and to declare an emergency (\$1,204,967.00)

WHEREAS, the Ohio Department of Education has awarded the City of Columbus, Recreation and Parks Department, a grant in the amount of \$1,204,967.00 for the operation of the 2003 Summer Food Service Program; and

WHEREAS, it is necessary to appropriate said funds to the Recreation and Parks Department for expenditures in conjunction with the 2003 Summer Food Service Program; and

WHEREAS, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary to enter accept said grant funds and appropriate said funds for the preservation of public health, peace, property and safety; now, therefore

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

Section 1. That the Director of Recreation and Parks be and he is hereby authorized and directed to accept a grant in the amount of \$1,204,967.00 from the Ohio Department of Education for the operation of the 2003 Summer Food Service Program.

Section 2. That from the unappropriated monies in the Recreation and Parks Grant Fund No. 286, and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2003, the sum of \$1,204,967.00 is appropriated to the Recreation and Parks Department, Department No. 51-01, as follows:

<b>Project Title</b>	<b>Grant No.</b>	<b>OCA Code</b>	<b>Level 3</b>	<b>Amount</b>
2003 Summer Food Service Program	513016	513016	1101	14,280.00
2003 Summer Food Service Program	513016	513016	1112	44,792.00
2003 Summer Food Service Program	513016	513016	1120	2,688.00
2003 Summer Food Service Program	513016	513016	1121	1,214.00
2003 Summer Food Service Program	513016	513016	1150	2,396.00
2003 Summer Food Service Program	513016	513016	3360	8,004.00
2003 Summer Food Service Program	513016	513016	3371	856.00
2003 Summer Food Service Program	513016	513016	3373	3,662.00
2003 Summer Food Service Program	513016	513016	2201	1,000.00
2003 Summer Food Service Program	513016	513016	3329	9,000.00
2003 Summer Food Service Program	513016	513016	3337	1,115,000.00
2003 Summer Food Service Program	513016	513016	3385	575.00
2003 Summer Food Service Program	513016	513016	3390	1,500.00
			<b>TOTAL</b>	<b>\$1,204,967.00</b>

Section 3. That the monies in the foregoing Section 2 shall be paid upon order of the Director of Recreation and Parks, and that no order shall be drawn or money paid except by voucher, the form of which shall be approved by the City Auditor.

Section 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor



neither approves nor vetoes the same.

Passed as amended July 07, 2003, Matthew D. Habash, President of Council / Approved as amended July 08, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

#### **ORD NO. 1620-2003**

To authorize the Director of the Department of Development to enter into a Jobs Creation Tax Credit Agreement with Safe Auto Services, Inc. at sixty percent (60%) for a period of five (5) taxable years in consideration of Safe Auto Services, Inc creating 60 (sixty) new full-time jobs, relocating and retaining 60 (sixty) full-time jobs in the City of Columbus

WHEREAS, pursuant to Section 122.17 of the Ohio Revised Code, the State of Ohio is authorized to establish the Tax Credit Authority and to execute agreements with taxpayers of the State of Ohio for the purpose of granting these taxpayers job creation tax credits against their corporate franchise or income tax, which tax credits are provided to create new jobs in the State of Ohio; and

WHEREAS, the State of Ohio Tax Credit Authority has granted Safe Auto Services, Inc a 65% 6 year Jobs Creation Tax Credit; and

WHEREAS, pursuant to Section 718.08 of the Ohio Revised Code (the "City Act") a municipal corporation is authorized to grant local income tax credits to taxpayers who have received tax credits from the State; and

WHEREAS, the granting of the tax credit by the City for the proposed relocation project by Safe Auto Services, Inc. will create 60 (sixty) fulltime permanent jobs; relocate and retain 60 (sixty) fulltime positions; increase opportunities for employment and strengthen the economy of the city; and

WHEREAS, receiving these tax credits from the State and the City is a critical factor in Safe Auto Services, Inc's decision to go forward with the project; now therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

Section 1. That the City hereby finds and determines that the project will(1) create jobs in the State and City; (2) the project is economically sound and will benefit the people of the State and City by increasing opportunities for employment and strengthening the economy of the State and City; and(3) receiving the forementioned tax credits is a critical factor in the decision by Safe Auto Services, Inc to go forward with the project

Section 2. That the City Council hereby finds and determines that the project meets all the requirements of the City Act

Section 3. That the Director of the Department of Development is hereby authorized and directed to enter into and execute a 5-year, 60% Jobs Creation Tax Credit Agreement with Safe Auto Services, Inc.

Section 4. That the ordinance shall take effect and be in force from and after the earliest period allowed by law

Passed July 07, 2003, Matthew D. Habash, President of Council / Approved July 08, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

#### **ORD NO. 1625-2003**

To rezone 5693 NORTH HAMILTON ROAD (43230), being 6.4± acres located on the west side of North Hamilton Road, at the northwest and southwest corners of Menerey Lane, From L-C-4, Limited Commercial District, To: CPD, Commercial Planned Development District (Z02-078).

WHEREAS, application #Z02-078 is on file with the Building Services Division of the Department of Development requesting rezoning of 6.4± acres from L-C-4, Limited Commercial District to CPD, Commercial Planned Development District; and

WHEREAS, the Development Commission recommends approval of said zoning change; and

WHEREAS, the City Departments recommend approval of said zoning change because the applicant's request for the CPD, Commercial Planned Development District to develop the site with a car wash and separate convenience store with gasoline sales is consistent with the established zoning and development patterns of the area and includes applicable Northland Development Standards as recommended by the Northland Plan Volume 11 (2002), now, therefore:

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

Section 1. That the Official Zoning Map of the City of Columbus, as adopted by Ordinance No 0179-03, passed February 24, 2003, and as subsequently amended, is hereby revised by changing the zoning of the property as follows

5693 NORTH HAMILTON ROAD (43230), being 6.4± acres located on the west side of North Hamilton Road, at the northwest and southwest corners of Menerey Lane, and being more particularly described as follows

**DESCRIPTION OF A 4.386 ACRE TRACT City of Columbus Franklin County Ohio**

Situated in the State of Ohio, County of Franklin, City of Columbus, Lot17, Quarter Township 4, Township 2, Range 17, United States Military Lands and being a4.386 acre tract out of that original 34.058 acre tract conveyed to the New Albany Company Limited Partnership of record in Official Record34304J16 (all references to the records of the Recorder's Office of Franklin County, Ohio) and described as follows:

Beginning, for reference, at a point at the intersection of the centerline of Hamilton Road and the centerline of Menerey Lane, of record in Plat Book 86, Pages 6 and 7;

thence North 03° 07' 54" East, along the centerline of Hamilton Road, a distance of 45.00 feet to a point;

thence North 86° 52' 06" West, perpendicular to the centerline of Hamilton Road, a distance of 40.00 feet to a point in the westerly right-of-way line of Hamilton Road, and also being the True Point of Beginning;

thence North 86° 52' 06" West, with the northerly right-of-way line of Menerey Lane, a distance of 20.00 feet to a point at a southeasterly corner of that 1.793 acre tract conveyed to Bank First National, of record in Instrument Number 199806100142793;

thence with the line of said 1.793 acre tract, the following courses and distances:

North 03° 07' 54" East, a distance of 286.14 feet to a point;

South 82° 42' 31" West, a distance of 55.73 feet to a point;

South 77° 09' 30" West, a distance of 244.64 feet to a point;

thence with the line of that 35.686 acre tract conveyed to 4701 Rexwood Drive Apartments Investors LLC, of record in Instrument Number 200206280159719, the following courses and distances:

North 03° 07' 54" East, a distance of 641.27 feet to a point;

South 86° 47' 16" East, a distance of 310.27 feet to a point in the westerly right-of-way line of Hamilton Road;

thence with the westerly right-of-way line of Hamilton Road, the following courses and distances

South 03° 12' 44" West, a distance of 193.13 feet to a point;

South 03° 07' 54" West, a distance of 656.44 feet to the True Point of Beginning, containing 4.386 acres, more or less.

Subject, however, to all restrictions, easements, and right-of-way of record.

#### **DESCRIPTION OF A 2.011 ACRE TRACT City of Columbus Franklin County Ohio**

Situated in the State of Ohio, County of Franklin, City of Columbus, Lot 17, Quarter Township 4, Township 2, Range 17, United States Military Lands and being a 2.011 acre tract out of that original 34.058 acre tract conveyed to the New Albany Company limited Partnership of record in Official Record 34304J16 (all references to the records of the Recorder's Office of Franklin County, Ohio) and described as follows:

Beginning, for reference, at a point at the intersection of the centerline of Hamilton Road and the centerline of Menerey Lane, of record in Plat Book 86, Page 6;  
 thence South 03° 07' 54" West, along the centerline of Hamilton Road, a distance of 45.00 feet to a point;  
 thence North 86° 52' 06" West, perpendicular to the centerline of Hamilton Road, a distance of 40.00 feet to a point in the westerly right-of-way line of Hamilton Road, and also being the True Point of Beginning;  
 thence South 03° 07' 54" West, with the westerly right-of-way line of Hamilton Road, a distance of 276.01 feet to a point; thence crossing said 34.058 acre tract, the following courses and distances;  
 North 86° 58' 26" West, a distance of 297.33 feet to a point;  
 North 03° 07' 54" East, a distance of 296.56 feet to a point in the southerly right-of-way line of said Menerey Lane; thence with the southerly right-of-way line of Menerey Lane, the following courses and distances;  
 South 86° 52' 06" East, a distance of 257.33 feet to a point of curvature;  
 with said arc to the right (Delta = 90° 00' 00", Radius = 20.00 feet) a chord bearing and distance of South 41° 52' 06" East, 28.28 feet to a point;  
 South 86° 52' 06" East, a distance of 20.00 feet to the True Point of Beginning, containing 2.011 acres, more or less.  
 Subject, however, to all restrictions, easements, and right-of-way of record EVANS, MECHWART, HAMBLETON & TILTON, INC.

**To Rezone From: L-CA, Limited Commercial District  
 To: CPD, Commercial Planned Development District**

Section 2. That a Height District of Thirty-five (35) feet is hereby established on the CPD, Commercial Planned Development District on this property.

Section 3. That the Director of the Department of Development be, and he is hereby authorized and directed to make the said changes on the said original zoning map in the office of the Building Services Division and shall register a copy of the approved CPD, Commercial Planned Development District and Application among the records of the Building Services Division as required by Section 3311.12 of the Columbus City Codes; said plan being titled, "PARCEL EXHIBIT FOR PRESERVE RETAIL," and text titled, "COMMERCIAL PLANNED DEVELOPMENT TEXT," both signed by Jeffrey L. Brown, Attorney for the Applicant and dated June 3, 2003, and the text reading as follows:

**COMMERCIAL PLANNED DEVELOPMENT TEXT**

PROPOSED DISTRICT:	CPD
PROPERTY ADDRESS:	5693 North Hamilton Road
OWNER:	The New Albany Company, LP
APPLICANT:	Same as owner
DATE OF TEXT:	6/03/03
APPLICATION NUMBER:	Z02-078

- I. INTRODUCTION: The applicant wants to add some additional uses to the existing zoning which reflect market interest in the property.
1. PERMITTED USES: Convenient store with gas sales; automatic or self serve car wash and those uses permitted in Section 3356.03 (CA) of the Columbus City Code with the following exclusions  
 Adult bookstore, Adult-only motion picture, Adult-only entertainment, Assembly hall, Auto park, Book bindery, Bus or truck terminal, Electric substation, Gas station, Greenhouse and nursery, Ice house, Motel, Newspaper printing, Poultry killing, Stables, and Tinsmith  
 The location of the convenient store with gas sales is restricted to the south side of Menerey Lane adjacent to Hamilton Road.
2. DEVELOPMENT STANDARDS: Unless otherwise indicated within this limitation text the applicable development standards of Chapter 3356 (CA) of the Columbus City Code apply.
- A. Density, Height, Lot and/or Setback commitments
1. The permitted maximum density shall not exceed the ratio of 12,000 square feet of building per net acre of site for the entire site.
  2. The setback along Hamilton Road shall be 40 feet for parking and maneuvering areas and 60 feet for building except for a gas canopy which may have a 40 foot setback.
  3. The setback along Menerey Lane shall be 25 feet for parking and maneuvering areas and 50 feet for building except for a gas canopy, which may have a 25 foot setback.
  4. Maximum height for canopies shall be 22 feet.
  5. Lot coverage shall not exceed 80% of the total lot area.
- B. Access, Loading, Parking and/or other Traffic related commitments
1. Applicant shall provide 60 feet of right-of-way from the centerline of Hamilton Road prior to zoning clearance
  2. One full access curb cut and one right-in / right-out curb cut to Hamilton Road shall be permitted
  3. Location and design details of the curb cuts shall be reviewed and approved by the City's Transportation Division
  4. The developer shall establish an access easement across the subject site so that vehicular traffic can access Menerey Lane.
  5. Developer shall install a sidewalk along the Hamilton Road frontage
  6. Size, ratio and type of parking and loading facility shall be regulated by the Columbus City Code, Chapter 3342.
  7. The view of all loading docks shall be fully screened from any adjacent public street, offsite building, building, or parking lot. Such screening shall achieve 90% opacity to a minimum height of six(6) feet from finished grade.
  8. If the developer builds more than a car wash I oil change facility or develops more than 2 acres of the subject property, then the developer shall construct a third lane on Hamilton Road along its frontage If the third lane has been constructed or if other parties have agreed to construct said lane, then this subject property shall no longer have any obligation to add said third lane.
- C. Buffering, Landscaping, Open space and/or Screening commitments
1. Within the required 40 foot green space corridor along Hamilton Road, fencing and landscaping shall be required for a minimum of 65% of the frontage within each parcel; such fencing and landscaping shall be uniformly placed within the last 10 feet of the required 40 foot green space corridor at a minimum distance of 30 feet from the right-of-way. The fencing shall consist of a 3-board fence that is painted or stained white and is a maximum of 4 inches in height It shall be constructed of 1 1/8 inches x 6 inches x 16 foot treated wood boards attached to 6 to 7 inch treated posts, with face boards, located 8 feet on center. The landscaping shall consist of deciduous shade trees (minimum 2.5 inch caliper upon installation); ornamental trees (minimum 1.5 inch caliper upon installation) and evergreen trees (minimum 5 feet in height upon installation). Evergreen and/or deciduous shrubs and mounding may be used To insure the utilization of a

variety of plant material, 3 evergreen trees, 3 ornamental trees, and 2 shade trees and at least 5 shrubs shall be used for every 100 feet of frontage that is landscaped.

2. Street tree planting shall be required within the setback area along Hamilton Road. Such trees shall be those specified in the Columbus Street Program guidelines from the City of Columbus Forester and have a minimum caliper upon planting of 2.5 inches and a minimum spacing of 35 feet on center and located 1 foot from the edge of right-of-way.

3. All parking areas adjacent to Hamilton Road shall have headlight screening parallel to the frontage with a minimum height of 30 inches as measured from the elevation of the nearest section of the adjacent parking area. Headlight screening shall be in the form of an evergreen hedge, earth mounding or wall. The requirements of this paragraph may be included as part of the landscaping treatment required in Section 3(c)(1) above so long as the total number of trees planted and the height of the screening meet the requirements of these two sections.

4. All major entries shall be developed by utilizing the fencing and landscape material noted in Section 3(c)(1) above.

5. Tree plantings shall be required within site parking and service areas. The number of trees required shall be determined by the following applicable ratios of total inches of tree caliper (minimum of 2.5 inch caliper per tree) to total site coverage by buildings and pavement:

a. 0 to 20,000 square feet: 6 inches of trunk size plus 1 inch additional for every 4,000 square feet of total site coverage by buildings and pavement.

b. 20,001 to 100,000 square feet: 10 inches of trunk size plus 1 inch additional for every 4,000 square feet of total site coverage by buildings and pavement over 20,000 square feet.

c. Over 100,000 square feet: 20 inches of trunk size plus 1 inch additional for every 6,500 square feet of total site coverage by buildings and pavement over 100,000 square feet.

6. At least 50% of required tree planting shall be integrated within parking or service areas. Existing trees of 3 inch caliper or greater may offset 2/3 of this requirement. Maximum possible green space shall be provided to minimize extensive unbroken hard surface area.

7. Landscaping islands are required within parking lots and shall be provided at a rate of 5 square feet of landscaped area per 100 square feet of vehicular use area in such a manner as to visually break up large expanses of pavement.

8. The landscaping required in this section may be used to offset the parking lot landscaping requirements contained in Chapter 3342 of the Columbus City Code.

9. Minimum tree size shall be no less than 2.5 inch caliper for street and/or shade trees, minimum 5 feet in height for evergreen trees and 1.5 inch caliper for ornamental trees.

10. If landscaping is used to screen service area containing dumpsters, 90% opacity is required for all non-servicing side and must be protected from service vehicles. Screening shall be 1 foot above height of structure to be screened but not less than seven (7) feet above finish grade.

11. There shall be no exterior sound system either portable or permanent on this property that can be heard from the Park District property west of this sub-area.

#### D. Building design and/or Interior-Exterior treatment commitments

1. For all uses constructed within this sub-area, all roofs shall be sloped and have a minimum pitch of 4:12 except for entry portals and gas canopy. The sloped roof noted above shall be finished with one of the following materials: dimensional asphalt shingle, wood shakes, slate, composite slate, tile, standing metal seam or copper.

2. All buildings within this described zone shall be constructed of brick as the primary exterior material covering at least 60% of building elevation excluding doors and windows. Brick size and color shall be the same for all buildings although brick does not need to come from the same manufacturer.

3. No materials, supplies, equipment, or products shall be stored or permitted to remain on any portion of the parcel outside the permitted structure except as provided in Section E6 below.

4. Mechanical equipment or other utility hardware on the roof of a building shall be screened from view by the same materials utilized on building roof or exterior. Color shall also match building exterior or roof. Mechanical or other utility equipment on the ground shall be fully screened from view by wall, fence or landscape material.

5. Blank facades on rear of buildings will not be permitted; therefore, articulating such facades with recesses, fenestrations, fences or pilasters is required. Such articulation shall be evenly spaced along the building elevation at a distance no greater than 20 feet, 0 inches.

6. All buildings shall be finished utilizing the same materials on all sides of the exterior.

7. In addition to using building elevations to articulate building mass, individual elevations shall be articulated with fenestrations, pattern or structural expression equal on all sides of each structure. Through the use of articulated building elements, such as porticos, dormers, recesses and other such elements, the overall building mass will appear to be reduced and will reflect a residential character.

#### E. Dumpsters, Lighting, Outdoor display areas and/or other environmental commitments

1. All external outdoor lighting shall be cut-off type fixtures (down lighting). However, buildings and landscaping may be illuminated with up-lighting from concealed sources. No colored light shall be used to light the exterior of any building.

2. All external outdoor lighting to be used shall be from the same manufacturer type or family to ensure aesthetic compatibility. All light poles and standards shall be in dark brown, bronze or black.

3. Parking lot lighting shall be no higher than 28 feet except that within one hundred feet of residentially zoned property the maximum light height shall be 18 feet.

4. Building mounted lighting within service areas shall be designed in such a way that no light spillage off-site occurs.

5. Landscaping at entries to parking lots and buildings shall be uplighted by groundmounted concealed fixtures.

6. Outside Display areas shall be limited to a convenient store with gasoline sales located south of Menery Lane and shall be developed pursuant to the following restrictions:

a. Outside displays may be located at the end of each pump island, and shall be no more than three (3) feet in width and three (3) feet in length except for the Hamilton Road side of the exterior pump islands where there shall be no outside display.

b. Outside displays may be located in front of the building along the sidewalk, and shall be not more than three (3) feet in depth and twelve (12) feet in width; said sidewalks shall be at least eight feet in depth to provide a minimum unobstructed strip for pedestrian traffic of not less than five feet (5').

c. The maximum height for any outside storage areas shall be three (3) feet.

d. Notwithstanding the size or height limitations any exterior propane storage enclosure or an ice machine may be located on the sidewalk along the front or side of the building; said sidewalks shall be at least eight feet in width.

- e. The outdoor display areas shall contain only those items normally and customarily sold by a convenience store and other seasonal items and products, including but not limited to, fire wood, mulch, flowers, Christmas wreaths, etc
- F. Graphics and Signage commitments:
  - 1. All signage and graphics shall conform to Article 15 of the Columbus City Graphic Code as it applies to the CA, Commercial district Any variance to the sign requirements shall be submitted to the Columbus Graphics Commission
- G. Miscellaneous commitments
  - 1. CPD Criteria
    - a. NATURAL ENVIRONMENT: The site is flat and undeveloped
    - b. ENTRY LAND USES: To the south is an existing financial institution and to the west is an existing apartment complex.
    - c. TRANSPORTATION AND CIRCULATION: The site will have access to Hamilton Road and Menerey Lane
    - d. VISUAL FORM OF THE ENVIRONMENT: The final architecture will be determined at the time of development subject to the conditions contained in this text
    - e. VIEW AND VISIBILITY: In the development of the subject property and in the location of the buildings and access points, consideration will be given to the visibility and safety of the motorists and pedestrians
    - f. PROPOSED DEVELOPMENT: Commercial uses as permitted by the text
    - h. EMISSIONS: No adverse affect from emissions shall result from the proposed development
    - i. BEHAVIOR PATTERNS: The proposed development will rely upon the traffic along Hamilton Road and the increasing residential development both east and west of Hamilton Road
  - 2. Variances Requested.
 

The proposed development will require a variance to reduce the minimum permitted building setback from 60 to 40 feet for the canopy. Such variances are regularly permitted for canopies at gas sales stations as is the need at this site

Section 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law

Passed as amended July 07, 2003, Matthew D. Habash, President of Council / Approved as amended July 08, 2003 Michael B. Coleman,  
Mayor / Attest, Andrea Blevins, CMC, City Clerk.

#### **ORD NO. 1634-2003**

To authorize the Director of Public Service to enter into a contract with Complete General Construction Company for construction of the Mound Street Souder Avenue Intersection Improvements Project; to authorize the expenditure of \$1,231,103.75 from the Voted 1995, Voted 1999 Streets and Highways Fund for the Transportation Division.

WHEREAS, bids were received and tabulated on June 12, 2003, for the Mound Street Souder Avenue Intersection Improvements Project; and

WHEREAS, a satisfactory bid has been received; and

WHEREAS, it is necessary to provide for construction inspection and other related costs; and

WHEREAS, an emergency exists in the usual daily operation of the Transportation Division, in that the contract should be let immediately so that the work may proceed without delay, thereby preserving the public health, peace, safety and welfare; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Director of Public Service be and is hereby authorized to enter into a contract with Complete General Construction Company, 1221 East Fifth Avenue, Columbus, Ohio 43219, for the construction of the Mound Street Souder Avenue Intersection Improvements Project in the amount of \$1,048,336.25 for the Transportation Division in accordance with the specifications and plans on file in the office of the Director of Public Service, which are hereby approved; to obtain and pay for the necessary inspection costs associated with the project up to a maximum of \$179,767.50; to pay for force account work up to a maximum of \$3,000.00 for American Electric Power.

SECTION 2. That for the purpose of paying the cost of the contract and inspection, the sum of \$1,231,103.75, or so much thereof as may be needed, is hereby authorized to be expended from 1995, 1999 Voted Streets and Highways Fund, no.704, for the Transportation Division, Dept./Div. 59-09, OCA Code 644385, Object Level Three 6631 and project 590109.

SECTION 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed as amended July 07, 2003, Matthew D. Habash, President of Council / Approved as amended July 08, 2003 Michael B. Coleman,  
Mayor / Attest, Andrea Blevins, CMC, City Clerk.

#### **ORD NO. 1639-2003**

To authorize the Public Service Director to modify and increase the contract with Miller Pavement Maintenance, Inc for the construction of the Spring Resurfacing 2001 project for the Transportation Division, to authorize the expenditure of \$1,074.29 from the 1995, 1999 Voted Streets and Highways Fund, and to declare an emergency (\$1,074.29)

WHEREAS, contract EAO3 1215 was authorized by Ordinance No.1026-01 passed on June 19, 2001 executed on July 23, 2001 and approved by the City Attorney on July 25, 2001, and

WHEREAS, it is necessary to modify this contract to provide for additional work and to pay the costs associated with a claim by the contractor for the Spring Resurfacing 2001 project, and

WHEREAS, an emergency exists in the usual daily operation of the Public Service Department, Transportation Division, in that the contract should be modified and increased immediately so that the project may be finaled without delay, thereby preserving the public health, peace and safety; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Public Service Director be and hereby is authorized to modify and increase contract EA)3 1215 with Miller Pavement Maintenance, Inc, 1771 Hannon Avenue, Columbus, OH 43223, by \$1,074.29 for additional work in accordance with the terms as shown on the modification on file in the office of the City Engineer, which are hereby approved.

SECTION 2. That the sum of \$1,074.29 or so much thereof as may be needed is hereby authorized to be expended from Fund 704, the 1995, 1999 Voted Streets and Highways Fund, Department NQ 59-09, Transportation Division, as follows:

Project #:	530282
Project:	Resurfacing
O.L. 01/O.L. 03 Codes:	06/6631
OCA Code:	644385
Amount	\$1,074.29

SECTION 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same

Passed July 07, 2003, Matthew D. Habash, President of Council / Approved July 08, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

#### **ORD NO. 1642-2003**

To authorize the City Attorney to appropriate \$200,000.00 from fees collected by the Bad Checks and Criminal Diversion Programs for the purpose of offsetting the cost of the salaries of the Programs' employees and to declare an emergency (\$200,000.00)

WHEREAS, administrative fees are imposed and collected by the City Attorney's Office for the Bad Checks and Criminal Diversion Programs; and

WHEREAS, the City Attorney would like to spend some of those fees to offset the cost of the salaries for individuals who carry out these Programs; and

WHEREAS, an emergency exists in the usual daily operation of the City of Columbus, Department of Law, in that it is immediately necessary to appropriate said funds for the preservation of the public health, peace, property, safety and welfare, now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS, OHIO:

SECTION 1. That the City Auditor is hereby authorized and directed to appropriate \$200,000.00 from:

DEPT	DIV	FUND	SUBFUND	OCA	Object Level 3	AMOUNT
City Attorney	24-01	223	131	223131	1000	\$125,000.00
			Bad Checks			
City Attorney	4-01	223	134	223134	1000	\$ 75,000.00
			Criminal Diversion			

SECTION 2. That the monies appropriated in forgoing Section 1 shall be paid upon order of the City Attorney and that no order shall be drawn or money paid except by voucher, the form of which shall be approved by the City Auditor

SECTION 3: That for the reasons stated in the preamble hereto, this ordinance is hereby declared an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same

Passed July 07, 2003, Matthew D. Habash, President of Council / Approved July 08, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

#### **ORD NO. 1644-2003**

To authorize the Director of the Department of Public Utilities to execute and grant a quitclaim deed of easement Real Property Developers, LLC under and across that City owned property known as Hoover Nature Preserve, and to the extent they may be applicable, to waive the competitive bidding and Land Review Commission requirements of the Columbus City Codes (1959) Revised, and to declare an emergency.

WHEREAS, the City of Columbus is owner of that real property known as the Hoover Nature Preserve; and

WHEREAS, Real Property Developers, LLC, has requested an easement under and across a portion of said real property in order to install and maintain a sanitary sewer; and

WHEREAS, the Department of Public Utilities has no objection to the granting of the easement, as it has been determined that its granting will not adversely affect the City; and

WHEREAS, the Real Estate Division, Department of Law has established \$22,800.00 as the value of such easement right; and

WHEREAS, an emergency exists in the usual daily operation of the City of Columbus, in that it is immediately necessary to authorize the Department of Department of Public Utilities to execute a quitclaim deed of easement and any ancillary documents required to grant said quitclaim deed of easement for the immediate preservation of the public peace, property, health and safety; now, therefore:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Director of the Department of Public Utilities be and hereby is authorized to execute a quitclaim deed of easement prepared by the Real Estate Division, Department of Law, and any ancillary documents necessary to grant to Real Property Developers, LLC the following described real property, to-wit:

#### **Easement**

Situated in the State of Ohio, County of Delaware, Township of Berkshire, located in Farm Lots 11 and 14, Quarter Township 4, Range 17, United States Military Lands and being a 20 foot wide strip of land across those tracts as conveyed to City of Columbus by deeds of record in Deed Book 259, Page 140, Deed Book 261, Page 451, Deed Book 271, Page 363 and Deed Book 261, Page 372 (all references refer to the records of the Recorder's Office, Delaware County, Ohio and described as follows:

Beginning, for reference, at Grantor's southwesterly corner (Deed Book 259, Page 140);

Thence North 03° 14' 11" East, with a westerly line of Grantor's tract, a distance of 6.5 1 feet to the True Point of Beginning for this description;

Thence North 03° 14' 11" East, continuing with said westerly line, a distance of 20.03 feet to a point;

Thence across Grantor's tract the following courses and distances;

South 89° 54' 13" East, a distance of 1367.48 feet to a point;

South 09° 25' 38" East, a distance of 150.20 feet to a point;

South 15° 07' 10" East, a distance of 340.95 feet to a point;

North 68° 40' 48" East, a distance of 405.53 feet to a point in Grantor's northerly line (Deed Book 261, Page 372)

South 85° 22' 23" East, with said northerly line, a distance of 45.71 feet to a point;

Thence across Grantor's tract the following courses and distances:

South 68° 40' 48" West, a distance of 468.92 feet to a point;

North 15° 07' 10" West, a distance of 364.24 feet to a point;

North 09° 25' 38" West, a distance of 134.27 feet to a point;

North 89° 54' 13" West, a distance of 1351.65 feet to the True Point of Beginning and containing 1.052 acre of land, more or less.

EVANS, MECHWART, HAMBLETON & TILTON, INC.

Clark E. White

Registered Surveyor No.7868

Section 2. That the Twenty Two Thousand Eight Hundred Dollars: (\$22,800.00), to be received by the City as consideration for the easement rights to be granted shall deposited as follows

Fund #671 OCA Code 066035 Object Level Three 0819 Dept/Div. 60-05 Amount \$22,800.00

Section 3. That this Council has determined that it is in the best interest of the City of Columbus to waive and does hereby waive the requirements of Columbus City Codes(1 959) Revised, Chapter 328 (Land Review Commission) and Section 329.25 (competitive bidding) to the extent that they may apply to this transaction with regards to this ordinance only.

Section 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after its passage if the Mayor neither approves nor vetoes the same

Passed as amended July 07, 2003, Matthew D. Habash, President of Council / Approved as amended July 08, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

#### **ORD NO. 1653-2003**

To authorize the Director of Public Utilities to enter into an agreement with Malcolm Pirnie, Inc., for professional engineering services for the Wastewater Treatment Facilities Upgrade, General Program--Overall Engineering Consultant (OEC) Services, for the Division of Sewerage and Drainage; to amend the 2002 Capital Improvements Budget; to appropriate and authorize the transfer of funds from the Sewerage System Reserve Fund to the 1991 Sanitary Bond Fund; to authorize the expenditure of \$3,825,000.00 from the 1991 Sanitary Bond Fund; and to declare an emergency. (\$3,825,000.00)

WHEREAS, the procurement was conducted in accordance with the Request For Statement of Qualifications (RFSQ) process set forth in Section 329.13, Columbus City Codes, 1959, and the Division's Evaluation Committee recommended three firms for further consideration, and Malcolm Pirnie, Inc. was selected from among the three firms; and

WHEREAS, it is immediately necessary to amend the 2002 Capital Improvements Budget to provide sufficient authority for increasing a capital project account; and

WHEREAS, it is immediately necessary to both appropriate funds from the Sewerage System Reserve Fund and transfer said funds into the 1991 Sanitary Bond Fund; and

WHEREAS, the funding method for this expenditure is a temporary measure until such time as the City sells notes or bonds for the above stated purpose and reimburses the Sewerage System Reserve Fund; and

WHEREAS, the aggregate principal amount of obligations which the City will issue to finance this project is presently expected not to exceed \$3,825,000.00; and

WHEREAS, an emergency exists in the usual daily operation of the Division of Sewerage and Drainage, Department of Public Utilities, in that it is immediately necessary to authorize the Director of Public Utilities to enter into an agreement with an accredited firm for professional engineering services for the Wastewater Treatment Facilities Upgrade, General Program--Overall Engineering Consultant (OEC) Services, Project 650360, at the earliest practicable date for the immediate preservation of the public health, peace, property and safety; Now, Therefore, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Director of Public Utilities be, and hereby is, authorized to enter into an agreement with Malcolm Pirnie, Inc., 1900 Polaris Parkway, Suite 200, Columbus, Ohio 43240, for professional engineering services for the Wastewater Treatment Facilities Upgrade, General Program Overall Engineering Consultant (OEC) Services, Project 650360, in accordance with the terms and conditions as shown in the agreement on file in the office of the Division of Sewerage and Drainage.

SECTION 2. That the said professional engineering services firm shall conduct the work to the satisfaction of the Director of Public Utilities and the Administrator of the Division of Sewerage and Drainage.

SECTION 3. That the 2002 Capital Improvements Budget Ordinance No.1674-02 is hereby amended and increased as follows, to provide sufficient budget authority for the execution of the professional engineering services agreement stated in Section 1.

**CURRENT:**

Project 650360	Wastewater Treatment Facilities General Program	\$1,374,500
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**AMENDED TO:**

Project 650360	Wastewater Treatment Facilities General Program	\$5,199,500
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SECTION 4. That from the unappropriated monies in the Sewerage System Reserve Fund, Fund 654, and from all monies estimated to come into said fund from any and all sources, and unappropriated for any other purpose during the fiscal year ending December 31, 2003, the sum of \$3,825,000.00 is hereby appropriated to the Division of Sewerage and Drainage, Division 60-05, Object Level One 10, Object Level Three 5502, OCA 901654.

SECTION 5. That the City Auditor is hereby authorized to transfer said funds to the 1991 Sanitary Bond Fund, Fund 664, for the Wastewater Treatment Facilities Upgrade, General Program--Overall Engineering Consultant (OEC) Services, Project 650360, at such time as is deemed necessary by him, and to expend said funds or so much thereof as may be necessary.

SECTION 6. That \$3,825,000.00 is hereby appropriated to the Division of Sewerage and Drainage, Division 60-05, 1991 Sanitary Bond Fund, Fund 664, Project 650360, OCA 650360, Object Level Three 6678, for the Wastewater Treatment Facilities Upgrade, General Program--Overall Engineering Consultant (OEC) Services.

SECTION 7. That upon obtaining other funds for the purpose of funding wastewater treatment facilities capital improvements work, the City Auditor is hereby authorized to repay the Sewerage System Reserve Fund the amount transferred under Section 5. above; and said funds are hereby deemed appropriated for such purpose.

SECTION 8. That the City Auditor is authorized to make any accounting changes to revise the funding source for any contract or contract modifications associated with expenditure of the funds transferred under Section 5. above.

SECTION 9. That the City intends that this ordinance constitutes an "official intent" for purposes of Section 1.150-2(e) of the Treasury Regulations promulgated pursuant to the Internal Code of 1986, as amended.

SECTION 10. That the expenditure of \$3,825,000.00, or as much thereof as may be needed, be and the same hereby is authorized from the 1991 Sanitary Bond Fund, Fund 664, Division 60-05, Division of Sewerage and Drainage, Project 650360, OCA 650360, Object Level Three 6678, to pay the cost of this contract.

SECTION 11. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor

neither approves nor vetoes the same.

Passed July 07, 2003, Matthew D. Habash, President of Council / Approved July 08, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

#### **ORD NO. 1654-2003**

To authorize the City Attorney to file the necessary complaints for the appropriation of construction and permanent easements in and to real estate necessary for the Jasonway Avenue Drainage Project, to authorize the expenditure of \$1,407.00 from the Storm Sewer Bond Fund and to declare an emergency (\$1,407.00)

WHEREAS, the City of Columbus, Ohio, a municipal corporation, is engaged in the acquisition of certain real property interests for the Jasonway Avenue Drainage Project; and

WHEREAS, the Council of the City of Columbus, Ohio, adopted Resolution No 022X-03, on the 10th day of February, 2003, declaring the necessity and intent to appropriate the real property interests hereinafter described and the purpose of the appropriation, and notice of such adoption of said resolution has been served in accordance with Columbus City Code Sec. 909.03; and,

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Sewerage and Drainage, in that it is necessary to appropriate such real property interests so that there will be no delay in the aforementioned project, and for the immediate preservation of the public peace, property, health and safety; now, therefore:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That construction and permanent easements in, over, under, across and through the following described real property, be appropriated for the public purpose of the Jasonway Avenue Drainage Project, #610941, pursuant to the power and authority granted to a municipal corporation by the Constitution of the State of Ohio, the Ohio Revised Code, Sec. 715.01, Sec. 717.01, Sec. 719.01 through Sec. 719.02; the Charter of the City of Columbus; and the Columbus City Code (1959), Chapter 909:

#### **PARCEL 1-S**

##### **PERPETUAL SEWER EASEMENT**

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Quarter Township2, Township 1, Range 18, United States Military Lands, being a part of a tract of land conveyed to CSX Transportation Inc (Chesapeake and Ohio Railroad) in Deed Book , Page , and being more particularly described as follows:

Commencing (P.O.C.) at a point in the easterly line of the said CSX Transportation Inc~ property and at the northwesterly corner of a 3.501 acre tract (Parcel 1) conveyed to Sportsite Holdings, Inc. in Official Record 26281, Page J08;

Thence S 09° 16' 02" E, along the westerly line of the said 3.501 acre tract, a distance of 94.23 feet to a point, said point being the Point of Beginning (P.O.B.) of the herein described easement;

Thence S 09° 16' 02" E, continuing along the said westerly line, a distance of 25.48 feet to a point;

Thence S 80° 47' 03" W, a distance of 20.37 feet to a point;

Thence N 09° 12' 57" W, a distance of 25.48 feet to a point;

Thence N 80° 47' 03" E, a distance of 20.34 feet to the Point of Beginning

Containing 0.012 acre, more or less, being within Auditors Parcel Number 010-005773.

Bearings are based on the Ohio State Plane Coordinate System, South Zone, NAD 83.

All references herein are to records in the Recorder's Office, Franklin County, Ohio

The herein description and exhibit is based on a survey made in September 2000 (said survey is not a complete boundary survey of the parent tract), and was prepared under the direct supervision of Steven L. Lamphear, Professional Registered Surveyor No. 7876, Columbus Engineering Consultants, Inc

#### **PARCEL 1T-1**

##### **TEMPORARY CONSTRUCTION EASEMENT**

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Quarter Township 2, Township 1, Range 18, United States Military Lands, being a part of a tract of land conveyed to CSX Transportation Inc (Chesapeake and Ohio Railroad) in Deed Book , Page , and being more particularly described as follows:

Commencing (P.O.C.) at a point in the easterly line of the said CSX Transportation Inc property and at the northwesterly corner of a 3.501 acre tract (Parcel 1) conveyed to Sportsite Holdings, Inc. in Official Record 26281, Page J08;

Thence S 09° 16' 02" E, along the westerly line of the said 3.501 Acre tract, a distance of 74.24 feet to a point, said point being the Point of Beginning (P.O.C.) of the herein described easement;

Thence S 09° 16' 02" E, continuing along the said westerly line, a distance of 19.99 feet to a point;

Thence S 80° 47' 03" W, a distance of 20.34 feet to a point;

Thence N 09° 12' 57" W, a distance of 19.99 feet to a point;

Thence N 80° 47' 03" E, a distance of 20.33 feet to the Point of Beginning

Containing 0.009 acre, more or less, being within Auditors Parcel Number 010-005773.

Bearings are based on the Ohio State Plane Coordinate System, South Zone, NAD83.

All references herein are to records in the Recorder's Office, Franklin County, Ohio

The herein description and exhibit is based on a survey made in September 2000 (said survey is not a complete boundary survey of the parent tract), and was prepared under the direct supervision of Steven L. Lamphear, Professional Registered Surveyor No. 7876, Columbus Engineering Consultants, Inc

#### **PARCEL 1T-2**

##### **TEMPORARY CONSTRUCTION EASEMENT**

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Quarter Township 2, Township 1, Range 18, United States Military Lands, being a part of a tract of land conveyed to CSX Transportation Inc (Chesapeake and Ohio Railroad) in Deed Book , Page , and being more particularly described as follows Commencing (P.O.C.) at a point in the easterly line of the said CSX Transportation Inc. property and at the northwesterly corner of a 3.501 acre tract (Parcel 1) conveyed to Sportsite Holdings, Inc. in O. R. Vol. 26281, Pg. J-08; Thence S 09° 16' 02" E, along the westerly line of the said 3.501 acre tract, a distance of 119.71 feet to a point, said point being the Point of Beginning (P.O.B.) of the herein described easement;

Thence S 09° 16' 02" E, continuing along the said westerly line, a distance of 14.53 feet to a point;

Thence S 80° 47' 03" W, a distance of 20.38 feet to a point;

Thence N 09° 12' 57" W, a distance of 14.53 feet to a point;

Thence N 80° 47' 03" E, a distance of 20.37 feet to the Point of Beginning

Containing 0.007 acre, more or less, being within Auditors Parcel Number 010-005773.

Bearings are based on the Ohio State Plane Coordinate System, South Zone, NAD 83.

All references herein are to records in the Recorder's Office, Franklin County, Ohio  
The herein description and exhibit is based on a survey made in September 2000 (said survey is not a complete boundary survey of the parent tract), and was prepared under the direct supervision of Steven L. Lamphear, Professional Registered Surveyor No. 7876, Columbus Engineering Consultants, Inc.

Section 2. That the Council of the City of Columbus, Ohio, declares that the appropriation of said real property interests is necessary for the stated public purpose, and that the City of Columbus, Ohio, has been unable to agree with the owner(s) as to the just compensation to be paid by the City of Columbus, Ohio.

Section 3. That the Council of the City of Columbus, Ohio, hereby declares the value of the subject real property interests to be One Thousand Four Hundred Seven Dollars (\$1,407.00).

Section 4. That the City Attorney be and hereby is authorized to file a complaint for appropriation of real property, in a Court of competent jurisdiction, and to have a jury impaneled to make inquiry into and assess the just compensation to be paid for the foregoing described real property interests.

Section 5. That the expenditure of \$1,407.00, or so much thereof as may be necessary be and hereby is authorized as follows:

Project # 610941; Dept/Div.: 60-15; Fund # 685; Object Level Three: 6601; OCA Code 685941; Auditor's Certificate # 020048 Amount \$1,407.00

Section 6. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after its passage if the Mayor neither approves nor vetoes the same.

Passed July 07, 2003, Matthew D. Habash, President of Council / Approved July 08, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

#### **ORD NO. 1663-2003**

To authorize and direct the Director of Public Utilities to increase an existing purchase order with CAD Concepts, Inc to provide as-built drawing services for the Division of Sewerage and Drainage, to waive the provisions of competitive bidding, to authorize the expenditure of \$24,948.00 from the Sewerage System Operating Fund, and to declare an emergency (\$24,948.00)

WHEREAS, the Division of Sewerage and Drainage entered into a pilot program with CAD Concepts, Inc to provide as-built drawing services for the Map Room (ED-009115); and

WHEREAS, there is a need to complete the final processing of the remaining backlog of collection system drawings to provide up-to-date mapping and construction drawings, and

WHEREAS, CAD Concepts, Inc. has successfully completed the pilot project and the majority of the document processing and is recommended to continue the service in process, and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Sewerage and Drainage in that it is immediately necessary to increase purchase order E-009115 to provide as-built drawing services the Division of Sewerage and Drainage's Map Room for the immediate preservation of the public health, peace, property and safety; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Director of Finance be and he is hereby authorized and directed to increase an existing purchase order with CAD Concepts, Inc. to provide as-built drawing services for the Division of Sewerage and Drainage

SECTION 2. That the expenditure of \$24,948.00, or so much thereof as may be necessary and is hereby authorized from Sewerage System Operating Fund 650, Dept No. 6005, OCA 605113, OL1 03, OL3 3336, to pay the cost thereof.

SECTION 3. That the provisions of Section 329.12 of the Columbus City Code is hereby waived

SECTION 4. That for the reasons stated in the preamble hereto, where is hereby made a part hereof, this Ordinance is hereby declared to be an emergency measure, which shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same

Passed July 07, 2003, Matthew D. Habash, President of Council / Approved July 08, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

#### **ORD NO. 1687-2003**

To rezone 603 NORTH WAGGONER ROAD (43004), being 0.67± acres located on the west side of North Waggoner Road, 126± feet north of Waggoner Woods Drive, From: R, Rural District, To: L-C-2, Limited Commercial District (Rezoning # Z03-008)

WHEREAS, application #Z03-008 is on file with the Building Services Division of the Department of Development requesting rezoning of 0.67± acres from R, Rural District, to L-C-2, Limited Commercial District; and

WHEREAS, the Development Commission recommends approval of said zoning change; and

WHEREAS, the City Departments recommend approval of said zoning change because the requested L-C-2, Limited Commercial District, with use restrictions and development standards in consideration of the surrounding single-family residential development, is an appropriate land use for this location, now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Official Zoning Map of the City of Columbus, as adopted by Ordinance No 0179-03, passed February 24, 2003, and as subsequently amended, is hereby revised by changing the zoning of the property as follows

603 NORTH WAGGONER ROAD (43004), being 0.67± acres located on the west side of North Waggoner Road, 126± feet north of Waggoner Woods Drive, and being more particularly described as follows

#### **DESCRIPTION OF 0.674 ACRE TRACT WEST OF WAGGONER ROAD SOUTH OF WENGERT ROAD NORTH OF BROAD STREET**

Situated in the State of Ohio, County of Franklin, Township of Jefferson, part of Lot 23, Section 4, Township 1, Range 16, United States Military Lands and being 0.674 acres of the tract of land conveyed to Joseph J. Recchie and Martha A. Recchie as recorded in Instrument Number 199908050199733 (all references refer to records in the Franklin County Recorder's Office, Ohio) and more fully described as follows

Beginning for reference at an existing monument at the centerline intersection of Waggoner Road and Waggoner Woods Drive;

Thence North 3° 20' 28" East a distance of 155.72 feet, along the centerline of said Waggoner Road, to a point;

Thence North 85° 41' 40" West a distance of 50.00 feet, along the southerly property line of said Recchie, to an existing iron pin being the



## Point of Beginning;

Thence North 85° 41' 40" West a distance of 185.07 feet, along the southerly property line of said Recchie, to an existing iron pin;  
 Thence North 3° 31' 25" East a distance of 158.52 feet, along the westerly property line of said Recchie, to an existing iron pin on the southerly property line of Rockford Homes, Inc (I.N. 200205160123268);

Thence South 85° 49' 34" East a distance of 185.02 feet, along the southerly property line of said Rockford Homes, Inc, to an iron pin set;

Thence South 3° 20' 28" West a distance of 158.94 feet, 50.00 feet westerly and parallel to the centerline of said Waggoner Road, to the Point of Beginning containing 0.674 acres more or less according to an actual field survey made by Hockaden and Associates, Inc. in May of 2003.

Bearings are based upon the centerline of Waggoner Road an assumed bearing North 3° 20' 28" East and all other bearings based upon this meridian

**To Rezone From: R, Rural District,  
 To: L-C-2, Limited Commercial District**

Section 2. That a Height District of Thirty-five (35) feet is hereby established on the L-C-2, Limited Commercial District on this property.

Section 3. That the Director of the Department of Development be, and he is hereby authorized and directed to make the said changes on the said original zoning map in the office of the Building Services Division and shall register a copy of the approved L-C-2, Limited Commercial District and Application among the records of the Building Services Division as required by Section 3370.03 of the Columbus City Codes; said text being titled "DEVELOPMENT TEXT", said plan being titled "DEVELOPMENT PLAN", signed by Donald T. Plank, Attorney for the Applicant, dated May 30, 2003, and reading as follows:

**DEVELOPMENT TEXT  
 L-C-2 LIMITED COMMERCIAL DEVELOPMENT  
 0.674± Acres**

EXISTING DISTRICT:	R, RURAL
PROPOSED DISTRICT:	L-C-2, LIMITED COMMERCIAL DEVELOPMENT DISTRICT
PROPERTY ADDRESS:	603 N. WAGGONER ROAD, COLUMBUS, OH 43004
OWNER:	JOSEPH J., SR., AND MARTHA A. RECCHIE CIO DONALD PLANK, ESQ., SHULER PLANK & BRAHM, 145 EAST RICH STREET, COLUMBUS, OH 43215
APPLICANT:	JOSEPH J. RECCHIE, SW CIO DONALD PLANK, ESQ., SHULER PLANK & BRAHM, 145 EAST RICH STREET, COLUMBUS, OH 43215
DATE OF TEXT:	MAY 30, 2003
APPLICATION NUMBER:	Z03-008 (03335-00000-00008)

1. INTRODUCTION: The site is 0.67± acres located on the west side of Waggoner Road, 125± feet north of Waggoner Woods Drive.

Applicant proposes to rezone the property to the LC-2, Limited Commercial District for day care and office use

A plan titled "Development Plan - 603 Waggoner Road" dated March 31, 2003 and signed May 30, 2003 by Donald Plank, Attorney for Applicant, hereinafter referred to as "The Plan", is hereby incorporated by reference and made a part of this rezoning.

2. PERMITTED USES: The following uses shall be permitted: All general and medical office uses, veterinarian office and child and adult daycare

3. DEVELOPMENT STANDARDS: Except as specified herein, or as depicted on The Plan, the applicable development standards shall be as specified in Chapter 3353, C-2, Office Commercial District

A. Density, Height, Lot and/or Setback Commitments.

1. Building: Building setbacks shall be as depicted on The Plan.

2. Parking Setback: Parking and pavement setbacks shall be as depicted on The Plan

3. The site shall be designated a H-35 Height District. No building shall exceed one (1) story above grade and height shall not exceed 18 feet, as measured in Section 3303.08, Columbus Zoning Code

4. Lot coverage for all building and pavement shall not exceed 75% of lot area.

B. Access, Loading, Parking and/or other Traffic Related Commitments

1. The site shall be accessed via one (1) full turning movement curb cut on Waggoner Road The centerline of the curb cut shall be located approximately 200-250 feet from the centerline of Waggoner Woods Drive, or as otherwise approved by the Division of Transportation. Exact location of the curb cut and curb cut design shall be determined with the review and approval of the City of Columbus Division of Transportation, at the time of construction plan review

2. A total of 50 feet of right of way from centerline of Waggoner Road shall be dedicated to the City of Columbus

C. Buffering, Landscaping, Open Space and/or Screening Commitments

1. All parking/pavement setback areas depicted on The Plan shall be maintained in live vegetation, other than sidewalks, as depicted New tree and shrubbery planting shall be placed as depicted and existing trees, as depicted, shall be preserved. If it is not possible to preserve existing trees, then new tree planting on a one (1) for one (1) basis of replacement of existing trees, as depicted on The Plan, shall be planted

2. A street tree row shall be established along Waggoner Road The street tree row shall contain one (1) tree for every 30 feet of lineal frontage, excepting the width of the driveway Such trees shall be those specified in the Columbus Street Tree Program guidelines from the City Forester The trees shall be approximately evenly spaced and planted approximately ten (10) feet from edge of right-of-way.

3. Headlight screening to a height of 36", consisting of evergreen plant material and/or low fencing, mounding and/or wall shall be provided along the Waggoner Road frontage in or adjacent to the parking setback The height of headlight screening shall be measured at the elevation of the nearest section of the adjacent onsite parking area.

4. Landscaping requirements of this section and as depicted on The Plan, shall be the applicable landscaping requirements for the site.

5. All trees and landscaping shall be well maintained Weather permitting, dead items shall be replaced within three (3) months.

6. The minimum size of trees at the time of planting shall be as follows Deciduous - 2 ½ inches, Ornamental - 1 ½ inches, Evergreen - 5 - 6 feet.

D. Building Design and/or Interior-Exterior Treatment Commitments.

1. There shall be no roof mounted mechanical equipment Ground mounted mechanical or utility equipment shall be fully

screened from view from ground level by landscaping or a fence or wall utilizing comparable and compatible materials as the building materials.

2. Building illumination shall be permitted provided such light source is concealed. No colored light shall be used to light the exterior of any building
  3. Building materials shall be traditional and natural in appearance.
  4. Building(s) shall be finished on all sides/elevations with the same level and quality of finish
  5. The building shall have a pitched roof with a minimum slope of 6:12 on the primary roof. The building shall be designed to be residential in appearance.
  6. Any building developed on the site shall be primarily located, placed and oriented abutting the west setback line depicted on The Plan, except for provision of pedestrian circulation around the building and as may be required for compliance with any applicable building code requirement. There shall be no vehicular circulation between the building and the west setback line
- E. Dumpsters, Lighting, Outdoor Display Areas and/or Other Environmental Commitments
1. All outdoor lighting, except decorative lighting, such as at entrances to the building, shall use fully shielded, cut-off fixtures (down lighting). There may be accent lighting (up lighting) on landscaping in the front of the building and ground sign, provided any light fixtures are screened from view
  2. All external outdoor lighting fixtures to be used shall be from the same or similar manufacturer's type to insure aesthetic compatibility.
  3. Except for decorative lighting, light poles shall be black, brown or bronze in color and all light poles shall be the same color. Light poles shall not exceed a maximum of 14 feet in height
  4. All new or relocated utility lines shall be installed underground, unless the applicable utility company requires above ground installation:
  5. Building mounted lighting on the north, south and west side of the building, if any, shall utilize fixtures and bulbs that are fully recessed in the soffit.
- F. Graphics and Signage Commitments.
1. All graphics shall conform to Article 15 of the Columbus City Code, as it applies to the C-2, Commercial District. Any variance to the applicable requirements of the G2, Commercial District shall be submitted to the Columbus Graphics Commission
  2. Any ground sign shall be monument style.
- G. Miscellaneous Commitments.
1. A sidewalk will be provided along and parallel to Waggoner Road to City of Columbus specifications
  2. A pedestrian sidewalk from the Waggoner Road sidewalk onto the site shall be provided. The pedestrian walk shall be a minimum of four (4) feet wide and shall be improved with asphalt or concrete.
  3. The Board of Zoning Adjustment shall be the body to hear any and all variance requests to site development standards, unless included in a council variance application, including any and all specific site development standards contained in this ordinance.
- Section 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law

Passed July 07, 2003, Matthew D. Habash, President of Council / Approved July 08, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

#### **ORD NO. 1702-2003**

To authorize the Director of the Department of Development to execute those documents necessary to enter into a one (1) year lease agreement between the City of Columbus and Livingston Court Management LLC, for the lease of approximately 1,600 square feet of office space located at 3585 East Livingston Avenue and the contiguous parking spaces, as the proposed site of the City's "Neighborhood Pride Center"; and to declare an emergency.

WHEREAS, the City, ("Lessee"), desires to enter into a lease agreement with Livingston Court Management LLC, ("Lessor"), for the lease of approximately 1,600 square feet of office space located at 3585 East Livingston Avenue, Columbus, Ohio 43227, and the contiguous parking spaces on the premises; and

WHEREAS, the aforementioned building is the proposed site of the City's "Neighborhood Pride Center"; and

WHEREAS, the parties have agreed that the rent consideration for the term of the lease and any subsequent renewal periods, shall be the covenants, conditions, agreements and stipulations contained within the Lease and the Lessee's best efforts to make available certain city government information and service within the immediate area and community overall; and

WHEREAS, an emergency exists in the usual daily operation of the City of Columbus in that it is immediately necessary to authorize the Director of the Department of Development to execute those documents necessary to enter into a one (1) year lease agreement, with certain options to extend the Lease if so desired, for the lease of certain real property located at 3585 East Livingston Avenue, Columbus, Ohio 43227 for the immediate preservation of the public health, peace, safety and welfare; NOW, THEREFORE,  
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Director of the Department of Development be, and hereby is, authorized to execute those documents approved by the Department of Law, Division of Real Estate necessary to enter into a one (1) year lease agreement by and between the City of Columbus, ("Lessee"), and Livingston Court Management LLC ("Lessor") for the lease of approximately 1,600 square feet of office space located at 3585 East Livingston Avenue, Columbus, Ohio 43227, and the contiguous parking spaces on premises.

Section 2. That the terms and conditions of the lease shall be in form approved by the City Attorney's Office and shall include the following

- a) The annual rent shall be the covenants, conditions, agreements and stipulations contained within the Lease and the Lessee's best efforts to make available certain city government information and service within the immediate area and community overall
- b) The term of this Lease shall be for a one (1) year period, with the option of extending this Lease for three (3) additional one (1) year periods commencing immediately upon the last day of the initial term of any subsequent term
- c) Such other terms and conditions as agreed to and approved by the City Attorney

Section 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same

Passed July 07, 2003, Matthew D. Habash, President of Council / Approved July 08, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

**ORD NO. 1704-2003**

To amend Ordinance No. 1194-02; to authorize the Directors of Finance, Public Utilities and Public Service to enter into additional agreements and documents in connection with the conveyance of the City's interest in a 0.7553 acre property on South High Street to Capitol South Community Urban Redevelopment Corporation and the future development thereof; and to declare an emergency.

WHEREAS, the Council of the City of Columbus did by Ordinance No. 1194-02, adopted July 29, 2002, authorize the sale of its interest in the 0.7553 acre parcel, situated generally on South High Street immediately west of the City Center Parking Facility, to Capitol South Community Urban Redevelopment Corporation to facilitate the development thereon of a 100 market-rate apartments in two, six story buildings; and

WHEREAS, the project has been re-defined is now comprised of 75 market-rate apartments over retail in one, four story building (the "High Street Apartment Project"); and

WHEREAS, additional agreements and documents necessary to proceed to closing have been identified; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development in that expediting the sale transaction and commencement of the High Street Apartment Project will preserve the public health, peace, property, safety and welfare; NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Director of Finance be and he is hereby authorized to approve the Section 1. That so much of Section 1 of Ordinance No.1194-02 as reads:

"Further, that the Director of Finance be and hereby is authorized to execute a quit claim from the City to Capitol South in completion of such sale agreement, a mutual release of any previous lease and any other previous agreement or document between the City and Capitol South that may be required or helpful in clearing title to such real estate in Capitol South, and an easement agreement between the City and Capitol South providing for a continuing easement for the existing utilities in vacated Cherry Street"

be and the same is hereby amended to read:

"Further, that the Director of Finance be and hereby is authorized to enter into, execute and deliver the following, the form in each instance to be approved by the City Attorney's Office, Department of Law, Real Estate Division

(a) a quit claim deed from the City to Capitol South in completion of such sales agreement;

(b) a mutual release of any previous lease and any other previous agreement or document between the City and Capitol South that may be required or helpful in clearing title to such real estate in Capitol South;

(c) a reciprocal easement agreement among the City, as the fee owner of the adjacent City Center Parking Facility, Capitol South and the Developer providing for ingress, egress, maintenance, encroachments across the common property line and other matters;

(d) a long term parking agreement among the City, as the fee owner of the adjacent City Center Parking Facility, Capitol South and the Developer providing for parking in such parking facility; and

(e) such other agreements and documents, not substantially adverse to the City, as may be appropriate, necessary or convenient to effect and facilitate the conveyance and development contemplated hereby

"Further, that the Director of Public Utilities be and hereby is authorized to enter into, execute and deliver an agreement between the City and Capitol South and/or the developer of the High Street Apartment Project providing a continuing easement for the existing utilities in vacated Cherry Street, the form thereof to be approved by the City Attorney's Office, Department of Law, Real Estate Division and the content thereof to be acceptable to the Director of Public Utilities

"Further, that the Director of Public Service be and hereby is authorized to enter into, execute and deliver an agreement between the City and the Developer providing for an easement for a building encroachment into the rights of way of Rich and Main Streets (two areas, each approximately 3.5 feet in depth) and of High Street (two areas, each approximately 3 feet in depth and a building marquee), the form thereof to be approved by the City Attorney's Office, Department of Law, Real Estate Division and the content thereof to be acceptable to the Director of Public Service"

Section 2. That Ordinance No. 1194-02 is hereby ratified and confirmed, except as expressly amended hereby

Section 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this Ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves, nor vetoes, the same

Passed July 07, 2003, Matthew D. Habash, President of Council / Approved July 08, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

**ORD NO. 1711-2003**

To authorize the Director of Public Utilities to modify the guaranteed maximum cost agreement with Dominion Homes, Inc., in connection with the Big Run Subtrunk, West of Galloway Road Project, for the Division of Sewerage, and to declare an emergency. (\$0.00)

WHEREAS, Ordinance No. 0827-03, as passed by Columbus City Council on June 2, 2003, authorized the Director of Public Utilities to enter into a guaranteed maximum cost agreement in accordance with Section 186 of the City Charter, with Dominion Homes, Inc. for the construction of the Big Run Subtrunk, West of Galloway Road Project; to authorize the transfer and expenditure of \$992,644.40 from the 1991 Voted Sanitary Bond Fund; and

WHEREAS, on June 25, 2003, three sealed, competitive bids were received and publicly opened at the office of Evans, Mechwart, Hambleton and Tilton, Inc. in accordance with the competitive procurement requirements of the Columbus City Codes contained within Section 3 of the guaranteed maximum cost agreement; and

WHEREAS, the low bidder, Corna / Kokosing Construction Company, submitted a defective bid by failing to completely execute the Proposal Bond; and

WHEREAS, Dominion Homes, Inc., has requested this Columbus City Council to modify the guaranteed maximum cost agreement to waive the competitive procurement requirements, that is necessary to allow them to award the contract to the low bidder; Corna / Kokosing Construction Company, who is fully capable of performing the work in accordance with the plans and specifications; thereby enabling Dominion Homes to avoid incurring costs in excess of \$100,000.00 by having to award the contract to the next lowest, responsive and responsible bidder; and

WHEREAS, an emergency exists in the usual daily operation of the Division of Sewerage and Drainage, Department of Public Utilities, in that it is immediately necessary for this Council to modify the guaranteed maximum cost agreement between the Director of Public Utilities and Dominion Homes, Inc. pursuant to the immediate commencement of the construction of the Big Run Subtrunk, West of Galloway Road Project that will provide vital sanitary sewer service to a rapidly growing area within the City of Columbus, for the preservation of the public health, peace, property, safety, and welfare, now therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

1. That the Director of Public Utilities is hereby authorized to amend the guaranteed maximum cost agreement between the City of Columbus and Dominion Homes, Inc. as previously authorized by Ordinance N- 0827-03, passed June 2, 2003, for purposes of waiving the competitive procurement requirements of the agreement that is necessary to allow Dominion Homes to award the contract for the construction of the aforementioned capital improvements project to the low bidder who submitted a defective proposal bond

2. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same

Passed July 07, 2003, Matthew D. Habash, President of Council / Approved July 08, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

**RESOLUTIONS****RES NO. 255X-2003**

To authorize the Director of Public Utilities, on behalf of the Division of Electricity, to cause plans and specifications to be prepared for installing ornamental street lighting with underground wiring in the Berwick III Area under the assessment procedure and to declare an emergency

WHEREAS, property owners owning over 60% of the assessable property in the Berwick III Area, including Belmar Road, Castlewood Road, Clermont Road from Castlewood Road to James Road, Cottingham Court East, Cottingham Court West, Dover Road from Kenwick Road to James Road, Kenwick Road from Dover Road to Scottwood Road, Millerdale Road, Severn Road, Tudor Road, Wakefield Court East, Wakefield Court West, Wellesley Road and Wilmore Drive have submitted a petition for ornamental street lighting with underground wiring; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Electricity, in that it is immediately necessary to prepare plans and specifications for the installation of street lighting improvements in the Berwick III Area in order that the same may be completed at the earliest possible time, thereby protecting the public health, peace, property, safety and welfare; now, therefore, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Director of Public Utilities be and is hereby authorized to cause plans, specifications and estimate of cost to be prepared for a high pressure sodium street lighting system with ornamental poles and underground wiring in the Berwick III Area, including Belmar Road, Castlewood Road, Clermont Road from Castlewood Road to James Road, Cottingham Court East, Cottingham Court West, Dover Road from Kenwick Road to James Road, Kenwick Road from Dover Road to Scottwood Road, Millerdale Road, Severn Road, Tudor Road, Wakefield Court East, Wakefield Court West, Wellesley Road and Wilmore Drive.

SECTION 2. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this resolution is declared to be an emergency measure and shall take effect and be in force from and after its adoption and approval by the Mayor, or ten days after adoption if the Mayor neither approves nor vetoes the same

Adopted July 07, 2003 Matthew D. Habash, President of Council / Approved July 08, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

**RES NO. 287X-2003**

To recognize and congratulate the Parsons Avenue Merchant Association for their Fourteenth Annual Parsons Avenue Autorama called 'Cruisin' held Saturday, July 5th, 2003.

WHEREAS, on Saturday, July 5, 2003 "Cruisin", which is the brainchild of Ned McNamara and John Kilmerlee, takes place from 1 pm to 3 pm at Parsons and Livingston by Children's Hospital; and

WHEREAS, the Parsons Avenue Merchant Association should be acknowledged for their efforts to bring attention to and instill pride in the Southside in general and Parsons Avenue in particular; and

WHEREAS, the Parsons Avenue Autorama is not a charitable nor for profit event but all proceeds go towards defraying the cost of the event; and

WHEREAS, a total of twenty-two trophies will be awarded to the field of eighty-five to ninety great vintage autos that have been registered for 'Cruisin' which include a '55 Chevy, a '54 Mercury with hydraulics; a '38 Desoto Street Rod and at least four Cadillacs from the mid-sixties to mid-seventies, and

WHEREAS, all participants and attendees will be duly entertained by Rockin' Ron spinning the Fifties and Sixties favorite tunes, a Poker Run in the cars, a 50/50 Drawing, Door Prizes and Games for the kids and adults, now, therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLUMBUS:

That this Council does hereby recognize, congratulate and thank the Parsons Avenue Merchant Association for their efforts in bringing attention to the Southside and Parsons Avenue through their Fourteenth Annual Parsons Avenue Autorama

BE IT FURTHER RESOLVED

That a copy of the Resolution be presented to the Parsons Avenue Merchant Association with our esteem

Adopted July 07, 2003 Matthew D. Habash, President of Council / Approved July 08, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

**BIDS WANTED – PURCHASING OFFICE**

Each proposal shall contain the full name and address of every person, firm or corporation interested in the same, and if a corporation, the name and address of the President and Secretary.

**EQUAL OPPORTUNITY CLAUSE:**

Each responsive bidder shall submit, with its bid, a contract compliance certification number or a completed application for certification. Compliance with the provisions of Article 1, Title 39, is a condition of the contract. Failure to comply with this Article may result in cancellation of the contract.

**WITHHOLDING OF INCOME TAX:** All bidders are advised that in order for a contract to bind the City, each contract must contain the provisions found in Section 361.34 C.C.C. with regard to income taxes due or payable to the City of Columbus for wages, salaries and commissions paid to the contractor's employees as well as requiring those contractors to ensure that subcontractors withhold in a like manner.

**DELINQUENT PERSONAL PROPERTY TAX:** All bidders are charged with notice of Section 5719.042 of the Ohio Revised Code and agree that if this contract is awarded to them, the successful bidder, prior to the time the contract is entered into, will submit to the City Auditor the affidavit required by said section of the Ohio Revised Code. Said affidavit, when filed with City Auditor, is thereby incorporated into and made a part of this contract and no payment shall be made with respect to this contract unless such statement has been so incorporated as a part thereof.

**LOCAL CREDIT:** For all contracts except professional service contracts: In determining the lowest bid for purpose of awarding a contract not exceeding \$20,000.00, a local bidder shall receive a credit equal to five percent (5%) of the lowest bid submitted by a non-local bidder. In determining the lowest bid for purposes of awarding a contract in excess of \$20,000.00, a local bidder shall receive a credit equal to one percent (1%) or \$20,000.00, whichever is less, of the lowest bid submitted by a non-local bidder. A local bidder is a person, corporation or business which (a) has listed its principal place of business as being located within the corporation limits of the City of Columbus or the County of Franklin in official documents filed with Secretary of State, State of Ohio, or a valid vendor's license which indicates its place of business is located within the corporation limits of the City of Columbus or County of Franklin.

FOR COPIES OF ANY OF THE FOLLOWING BID PROPOSAL CALL (614) 645-7599

FOR COPIES OF ANY OF THE FOLLOWING BID PROPOSALS CALL THE LISTED DIVISION  
CITY OF COLUMBUS FORMAL BID OPPORTUNITIES ARE UPDATED DAILY AT:  
<http://finance.ci.columbus.oh.us/purchasing/openbids/sabids.html>

**BID OPENING DATE - July 17, 2003 11:00 am****SA000474 - PUBLIC SERVICE/HIGHWAY ROCKSALT**

**Scope:** This proposal is to provide the City of Columbus with an Universal Term Contract (blanket type) to purchase approximately 30,000 tons annually of Highway Rock Salt (Type I, Grade I Sodium Chloride) for snow and ice removal operations. The proposed contract will be in effect through July 31, 2006.

**Classification:** The successful bidder will provide, deliver, and unload bulk quantities of Highway Rock Salt.

If you have an interest in receiving this proposal, please FAX this form in its entirety to: Purchasing Office, (614) 645-7051 a complete copy of the specifications will be mailed to those who request the mailing and specifications are also available in person at 50 West Gay Street, Beacon Building - First Floor, Columbus, Ohio, 43215

ORIGINAL PUBLISHING DATE: June 20, 2003

**SA000475 - WATER/ZINC METERING PUMPS**

**1.1 Scope:** This bid proposal is to provide the City of Columbus, Division of Water with a contract for the immediate purchase of replacement zinc metering pump systems. This equipment will be used to meet the needs of the Hap Cremean Water Treatment Plant.

**1.2 Classification:** This bid proposal and the resulting contract will provide for the purchase and delivery of Watson Marlow Zinc Metering Pumps with Scada Control Interface Box and hose. The City will install all units purchased

If you have an interest in receiving this proposal, please FAX this form in its entirety to: Purchasing Office, (614) 645-7051 a complete copy of the specifications will be mailed to those who request the mailing and specifications are also available in person at 50 West Gay Street, Beacon Building - First Floor, Columbus, Ohio, 43215

ORIGINAL PUBLISHING DATE: June 28, 2003

**SA000477 - FLEET/ HD TRUCK TRANSMISSION REPAIR**

**Scope:** It is the intent of the City of Columbus, Fleet Management Division, to obtain formal bids to establish a universal term contract (UTC) for the purchase of HD Truck Transmission Repair through September 30, 2005

**Classification:** The successful bidder must provide means of giving satisfactory service to City vehicles and equipment between 7:30AM and 3:30PM, Monday through Friday.

If you have an interest in receiving this proposal, please FAX this form in its entirety to: Purchasing Office, (614) 645-7051 a complete copy of the specifications will be mailed to those who request the mailing and specifications are also available in person at 50 West Gay Street, Beacon Building - First Floor, Columbus, Ohio, 43215

ORIGINAL PUBLISHING DATE: June 26, 2003

## SA000478 - FLEET/PTO PUMPS, PARTS &amp; SPINNER MOTORS

Scope: It is the intent of the City of Columbus, Fleet Management Division, to obtain formal bids to establish a universal term contract (UTC) for the purchase of New and Rebuilt PTO Pumps, Parts and Spinner Motors for use in the repair of City equipment through September 30, 2005.

Classification: Supplier will provide new and rebuilt PTO Pumps, Pump Parts and Spinner motors.

If you have an interest in receiving this proposal, please FAX this form in its entirety to: Purchasing Office, (614) 645-7051 a complete copy of the specifications will be mailed to those who request the mailing and specifications are also available in person at 50 West Gay Street, Beacon Building - First Floor, Columbus, Ohio, 43215

ORIGINAL PUBLISHING DATE: June 27, 2003

## SA000482 - SEWER MAINTENANCE/ALL WHEEL STEER LOADER

1.1 Scope: It is the intent of the City of Columbus, DIVISION OF SEWERAGE AND DRAINAGE, SEWER MAINTENANCE OPERATIONS CENTER to obtain formal bids to establish a Contract for the purchase of an All Wheel Steer Loader with Trailer for use by the Sewer Maintenance Operations Center for repair and replacement of sewers and related construction.

1.2 Classification: Manufacturer must have a franchised dealer/installer located in Franklin County or one contiguous to Franklin to supply parts and warranty services.

If you have an interest in receiving this proposal, please FAX this form in its entirety to: Purchasing Office, (614) 645-7051 a complete copy of the specifications will be mailed to those who request the mailing and specifications are also available in person at 50 West Gay Street, Beacon Building - First Floor, Columbus, Ohio, 43215

ORIGINAL PUBLISHING DATE: July 01, 2003

**BID OPENING DATE - July 23, 2003 3:00 pm**

## SA000479 - Root Control Services

Sealed proposals will be received by the Director of Public Utilities of the City of Columbus at the office of the Director of Public Utilities, 910 Dublin Road, Room 4105, until 3:00 p.m., Local Time on Wednesday July 23, 2003, and publicly read at that hour and place for the following project: Root Control Services

The work for which proposals are invited consists of: applying a foam root control chemical registered with the EPA designed specifically to control sewer line tree root intrusions in sewer lines 8" to 36". Bidder shall be licensed and certified as a pesticide application business with the Ohio Department of Agriculture prior to bidding. Companies must have the capacity to treat 750,000 total linear feet. Copies of the Contract Documents are on file with the Division of Sewerage and Drainage, Fiscal Office, 910 Dublin Road, Room 4019, Columbus, OH 43215, and are available at no cost by contacting Joe Lombardi at (614) 645-6031.

Proposals must be submitted on the proper forms contained in the Bid Submittal Document and the Bid Submittal Documents containing the Proposal must be submitted IN THEIR ENTIRETY in a sealed envelope marked: ROOT CONTROL SERVICES

## FURTHER INFORMATION

For information and questions concerning the detailed aspects of the project, contact Mark Chapman at (614) 645-1878. To receive a copy of the specifications, please contact the Division of Sewerage and Drainage, Fiscal Office at (614) 645-6031 or Jean Romine at (614) 645-5919.

## CONTRACT COMPLIANCE REQUIREMENTS

Each responsive bidder shall submit, with its bid, a City of Columbus Contract Compliance Certification Number or a completed application for certification. Compliance with the provisions of Article I, Title 39, Columbus City Code, 1959 is a condition of this Contract. Failure to comply with this Article may result in cancellation of the Contract. Applications may be obtained by calling (614) 645-3666

## BID CANCELLATIONS AND REJECTIONS

The right is reserved by the Director of Public Utilities of the City of Columbus to cancel the Advertisement for Bids, to reject any and/or all bids to waive technicalities, to hold bids for a period of 180 days after the bid opening, and/or to advertise for new proposals, when it is in the best interest of the City.

## SPECIAL REQUIREMENTS

Particular attention is called to the statutory requirements of the State of Ohio relative to licensing of corporations organized under the laws of any other state.

Submitted By: Director of Public Utilities

ORIGINAL PUBLISHING DATE: July 02, 2003

**BID OPENING DATE - July 24, 2003 11:00 am**

## SA000472 - FIRE/MEDIUM DUTY MEDICS

SCOPE: It is the intent of the City of Columbus, Division of Fire to obtain formal bids for the purchase of MEDIUM DUTY MEDIC VEHICLES. These units are used in the daily operations of the Division of Fire.

CLASSIFICATION: Supplier will build/construct vehicles and deliver to them to the Division of Fire. This Solicitation includes a provision for liquidated damages.

ORIGINAL PUBLISHING DATE: June 25, 2003

## SA000480 - FLEET/RETREADING TRUCK TIRES

1.1 Scope: It is the intent of the City of Columbus, Fleet Management Division to obtain formal bids to establish a universal term contract (UTC) for the purchase of Retread Truck Tires for use on the City's truck fleet through October 31, 2005.

1.2 Classification: Supplier to pick up casings at Fleet Management designated facilities and return finished work within seven (7) days.

If you have an interest in receiving this proposal, please FAX this form in its entirety to: Purchasing Office, (614) 645-7051 a complete copy of the specifications will be mailed to those who request the mailing and specifications are also available in person at 50 West Gay Street, Beacon Building - First Floor, Columbus, Ohio, 43215

ORIGINAL PUBLISHING DATE: June 28, 2003

## SA000484 - REFUSE/ANUAL SIDE LOADERS

1.1 Scope: It is the intent of the City of Columbus, Refuse Collection Division, to obtain formal bids to establish a contract for the purchase of 17 cubic yard manual side loading refuse collection trucks for use in collecting residential refuse.

1.2 Classification: The manufacturer(s) must have a fully franchised dealer located in Franklin County, Ohio, (or a contiguous county) that is authorized to perform warranty service and sell O.E.M. parts.

If you have an interest in receiving this proposal, please FAX this form in its entirety to: Purchasing Office, (614) 645-7051 a complete copy of the specifications will be mailed to those who request the mailing and specifications are also available in person at 50 West Gay Street, Beacon Building - First Floor, Columbus, Ohio, 43215

ORIGINAL PUBLISHING DATE: July 01, 2003

**BID OPENING DATE - July 31, 2003 11:00 am**

## SA000481 - REFUSE/AUTOMATED SIDE LOADING TRUCKS

1.1 Scope: It is the intent of the City of Columbus, Refuse Collection Division, to obtain formal bids to establish a contract for the purchase of automated side loading refuse collection trucks for use in collecting residential refuse.

1.2 Classification: The manufacturer(s) must have a fully franchised dealer located in Franklin County, Ohio, (or a contiguous county) that is authorized to perform warranty service and sell O.E.M. parts.

If you have an interest in receiving this proposal, please FAX this form in its entirety to: Purchasing Office, (614) 645-7051 a complete copy of the specifications will be mailed to those who request the mailing and specifications are also available in person at 50 West Gay Street, Beacon Building - First Floor, Columbus, Ohio, 43215

ORIGINAL PUBLISHING DATE: July 01, 2003

## SA000483 - SIGN LANGUAGE INTERPRETER SERVICES - RFP

1.1 Scope: It is the intent of the City of Columbus, Department of Finance on behalf of the Department of Human Resources to obtain proposals to establish a universal term contract for Sign Language Interpreter Services through September, 2006. The contract will be established to provide sign language interpreter services for hearing impaired people when they interact with City personnel who are assisting them with, primarily, human services.

1.2 The contractor must be able to provide sign language interpreter services 24 hours a day, 7 days a week, on an emergency basis. Services are to be responded to within 2 hours or receiving a request. Sign language interpreter services will also be required for public meetings and events. Such services will be scheduled at least 48 hours prior to the event. Sign language interpreters must be RID certified or NAD certified at a level 3.

If you have an interest in receiving this proposal, please FAX this form in its entirety to: Purchasing Office, (614) 645-7051 a complete copy of the specifications will be mailed to those who request the mailing and specifications are also available in person at 50 West Gay Street, Beacon Building - First Floor, Columbus, Ohio, 43215.

ORIGINAL PUBLISHING DATE: July 02, 2003

## SA000485 - REFUSE/REAR LOADING REFUSE TRUCKS

1.1 Scope: It is the intent of the City of Columbus, Refuse Collection Division, to obtain formal bids to establish a contract for the purchase of rear loading refuse collection trucks for use in collecting residential refuse.

1.2 Classification: The manufacturer(s) must have a fully franchised dealer located in Franklin County, Ohio, (or a contiguous county) that is authorized to perform warranty service and sell O.E.M. parts.

If you have an interest in receiving this proposal, please FAX this form in its entirety to: Purchasing Office, (614) 645-7051 a complete copy of the specifications will be mailed to those who request the mailing and specifications are also available in person at 50 West Gay Street, Beacon Building - First Floor, Columbus, Ohio, 43215

ORIGINAL PUBLISHING DATE: July 01, 2003

**BID OPENING DATE - August 20, 2003 3:00 pm**

## SA000487 - SOUTHERLY HEADWORKS RAW SEWAGE STATION

BIDS FOR: Southerly Wastewater Treatment Plant, New Headworks - Raw Sewage Pump Building, Capital Improvements Project No. 650352, Contract S65, WPCLF No. CS392276-02

OWNER: City of Columbus, Ohio, Division of Sewerage and Drainage, General Engineering Section, Cheryl Roberto, Interim Director of Public Utilities

DESIGN PROFESSIONAL: Malcolm Pirnie, Inc, 1900 Polaris Parkway, Suite 200, Columbus, Ohio 43240-2020, (614) 888-4953

BID OPENING: Sealed Bids will be received by the Director of Public Utilities of the City of Columbus, Ohio, at its office, 910 Dublin Road, Room 4105, until 3:00 p.m. Local Time on Wednesday, August 20, 2003 at which time they will be publicly opened and read.

## DESCRIPTION OF WORK:

The project consists of the following:

1. New Raw Sewage Pump Building, including the following items:
  - a. Four mechanically cleaned bar racks.
  - b. Four raw sewage pumps with variable frequency drive units and motors.
  - c. Sluice gates.
  - d. Four 48-inch diameter magnetic flow meters.
  - e. Belt conveyor.
  - f. Elevator.
  - g. Instrumentation and control systems.
  - h. Plumbing, HVAC, and electrical systems.
2. New temporary site access road and widening of U.S. Route 23.



- 3 New extension of the 102" diameter Interconnector Sewer, miscellaneous associated chambers and multiple pipe barrel crossing of the Scioto River.
4. New Big Walnut Outfall Diversion Structure and 8' - 6" x 8' - 6" Big Walnut Outfall box conduit.
5. New portion of the 14' x 14' - 8" Big Walnut Augmentation/Rickenbacker Interceptor box conduit.
6. New Influent Junction Chamber.
7. New 18' x 14 plant influent sewer.
8. New portion of the 48" diameter main drain.
9. New 48" diameter pump discharge piping.
10. Miscellaneous buried odor control duct.

In determining the lowest Bid for purposes of awarding a contract in excess of \$20,000, a Bidder who provides a retirement or pension plan shall receive credit equal to 1 percent of the lowest bid submitted. The retirement or pension plan provided credit does not reduce the amount of the Contract. Providing a retirement or pension plan means that the employer pays directly, or through an agent, a portion of the premium for their employees (proposed to work on this Project) into a retirement or pension plan with a bona fide plan administrator. Note that simply providing additional wages directly to the employee such that the employee then must obtain their own retirement or pension plan on the open market, specifically does not meet the acceptable definition.

ORIGINAL PUBLISHING DATE: July 04, 2003

<b>PUBLIC NOTICES</b>
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**CITY BULLETIN NOTICE  
MEETING SCHEDULE  
CITY OF COLUMBUS RECORDS COMMISSION**

The regular meetings of the City of Columbus Records Commission for the calendar year 2003 are scheduled as follows:

Monday, February 3, 2003  
Monday, May 12, 2003  
Monday, September 29, 2003

The location of these meetings will be City Hall, 90 West Broad Street, 2<sup>nd</sup> Floor, Mayor's Conference Room. They will begin promptly at 10:00 am

Every effort will be made to adhere to the above schedule, but the City of Columbus Records Commission reserves the right to change the date, time or location of any meeting; or to hold additional meetings. To confirm the meeting date, time and locations or to obtain agenda information, contact the Office of the City of Columbus Records Commission Coordinator at (614) 645-8539.  
**(10/2002; 10/2003)**

**OFFICIAL NOTICE  
CIVIL SERVICE COMMISSION  
COMPETITIVE EXAMINATION  
ANNOUNCEMENTS  
APPLY DAILY MONDAY THROUGH FRIDAY 8:00 A.M. TO 4:30 P.M.**

The Civil Service Commission continuously administers competitive examinations. Information regarding examinations, for which the Civil Service Commission is currently accepting applications, is posted at the Commission offices located at 50 West Gay Street, 6<sup>th</sup> Floor, Columbus, Ohio. Please note that all visitors to the Beacon Building are required to produce a picture ID, authenticating their identity, in order to visit the applications area. Interested applicants should regularly check this location for examination announcements. Also, please visit our website at [www.csc.columbus.gov](http://www.csc.columbus.gov).  
**(01/2003; 12/2003)**

**BOARD OF REVIEW  
OF GENERAL AND LIMITED  
SIGN ERECTORS  
MEETING SCHEDULE**

**MEETING TIME:** 1<sup>ST</sup> Tuesday of each month (except May & November) November through April 3:00 p.m. and May through October at 3:30, 757 Carolyn Avenue, Hearing Room E.

**CUT-OFF TIME FOR APPLICATIONS:** One week prior to the meeting

**Questions:** Dave Reiss: 645-7973

**CUT-OFF DATES**

January 28  
February 25  
March 25  
May 6  
May 27  
June 24  
July 29  
August 26  
September 24  
November 4  
November 26

**MEETING DATES**

February 4  
March 4  
April 1  
May 13  
June 3  
July 1  
August 5  
September 2  
October 7  
November 11  
December 2

**(01/25/03; 12/27/03)**

**BOARD OF REVIEW OF  
WARM AIR & HYDRONICS CONTRACTORS  
MEETING SCHEDULE  
2003**

**MEETING TIME:** 2<sup>nd</sup> Tuesday of each month, 5:00 pm at 757 Carolyn Avenue, Hearing Room D.

**CUT-OFF TIME FOR APPLICATIONS:** One week prior to the meeting

**Questions:** Cheryl Roahrig: 645-3270

**CUT-OFF DATES**

February 6  
March 4  
April 1  
May 6

**MEETING DATES**

February 11  
March 11  
April 8  
May 13

June 3	June 10
July 1	July 8
August 5	August 12
September 2	September 9
October 7	October 14
November 4	November 11
December 2	December 9

(01/25/03; 12/27/03)

**BOARD OF REVIEW OF  
ELECTRICAL CONTRACTORS  
MEETING SCHEDULE  
2003**

**MEETING TIME:** 2<sup>nd</sup> Wednesday of each month, 5:00 pm at 757 Carolyn Avenue, Hearing Room E.**CUT-OFF TIME FOR APPLICATIONS:** One week prior to the meeting**Questions:** Jerry Tudor: 645-6076

<b>CUT-OFF DATES</b>	<b>MEETING DATES</b>
February 7	February 12
March 5	March 12
April 2	April 9
May 7	May 14
June 4	June 11
July 2	July 9
August 6	August 13
September 3	September 10
October 1	October 8
November 5	November 12
December 3	December 10

(01/25/03; 12/27/03)

**BOARD OF REVIEW  
OF REFRIGERATION CONTRACTORS  
MEETING SCHEDULE**

**MEETING TIME:** 1<sup>ST</sup> Wednesday of each month at 5:00 pm at 757 Carolyn Avenue, Hearing Room H.**CUT-OFF TIME FOR APPLICATIONS:** One week prior to the meeting**Questions:** Cheryl Roahrig: 645-3270

<b>CUT-OFF DATES</b>	<b>MEETING DATES</b>
January 29	February 5
February 26	March 5
March 26	April 2
April 30	May 7
May 28	June 4
June 25	July 2
July 30	August 6
August 27	September 3
September 24	October 1
October 29	November 5
November 26	December 3

(01/25/03; 12/27/03)

**BOARD OF REVIEW OF  
PLUMBING CONTRACTORS  
2003 BOARD MEETING  
SCHEDULE**

**MEETING TIME:** 3<sup>rd</sup> Wednesday of each month at 5:00 p.m.**CUT-OFF TIME FOR APPLICATIONS:** 1 week prior to the meeting**QUESTIONS:** Larry Caito: 645-6340

<b>CUTOFF DATES</b>	<b>MEETING DATES</b>
February 12	February 19
March 12	March 19
April 9	April 16
May 14	May 21

June 11	June 18
July 9	July 16
August 13	August 20
September 10	September 17
October 8	October 15
November 12	November 19
December 10	December 17

(01/25/03; 12/27/03)

**EXHIBIT A  
NOTICE OF REGULAR MEETINGS  
COLUMBUS RECREATION AND PARKS COMMISSION**

The Recreation and Parks Commission, appointed and organized under the Charter of the City of Columbus, Section 112-1 is empowered to equip, operate, direct and maintain all the existing recreational and park facilities. In addition, said Commission exercises certain powers and duties as specified in Sections 112-1 and 112-2 of the Columbus City Charter.

Please take notice that meetings of the Recreation and Parks Commission will be held at 8:30 a.m. on the following dates and locations (unless otherwise posted):

Wednesday, January 8, 2003- Operations Complex, 420 W Whittier Street  
 Wednesday, February 12, 2003 – Operations Complex, 420 W Whittier Street  
 Wednesday, March 12, 2003—Operations Complex, 420 W Whittier Street  
 Wednesday, April 9, 2003—Operations Complex, 420 W Whittier Street  
 Wednesday, May 14, 2003 – Walnut Hill Golf Course, 6001 E. Livingston Avenue  
 Wednesday, June 11, 2003 – Goodale Shelterhouse, 120 W Goodale Boulevard  
 Wednesday, July 9, 2003 – Gillie Recreation Center, 2100 Morse Road  
 August Recess – No meeting  
 Wednesday, September 10, 2003-Whetstone Park of Roses Shelterhouse, 4015 Olentangy Boulevard  
 Wednesday, October 8, 2003- Davis Youth Complex (Franklin Park), 1755 E. Broad Street  
 Wednesday, November 12, 2003 – Operations Complex, 420 W Whittier Street  
 Wednesday, December 10, 2003 – Operations Complex, 420 W Whittier Street

In the event no proper business exists the meeting may be cancelled without further notice. For further information you may contact the Recreation and Parks Department, 90 West Broad Street, Room 115, Columbus, Ohio 43215 (Telephone: [614] 645-3300).

(02/01/03 thru 12/13/03)

**MEETING NOTICE  
ITALIAN VILLAGE COMMISSION**

The regular meeting of the Italian Village Commission will be held on Tuesday, July 15, 2003 at 6:15 p.m. at 109 N. Front in the first floor Community Training Center. Copies of the agenda may be obtained by calling 645-7964. A Sign Language Interpreter, to "Sign" this meeting, will be made available for anyone with a need for this service, provided the Historic Preservation Office is made aware of this need and given a reasonable notice of at least forty-eight (48) hours prior to the scheduled meeting time. To schedule an interpreter, please call 645-7964 or TDD 645-6802.

(06/28/03; 07/05/03; 07/12/03)

**MEETING NOTICE  
HISTORIC RESOURCES COMMISSION**

The regular meeting of the Historic Resources Commission will be held on Thursday, July 17, 2003, at 6:15 p.m. in the Community Training Center, 109 N. Front Street, ground floor. Copies of the agenda may be obtained by calling 645-7964. A Sign Language Interpreter, to "Sign" this meeting, will be made available for anyone with a need for this service, provided the Neighborhood Services Division is made aware of this need and given a reasonable notice of at least forty-eight (48) hours prior to the scheduled meeting time. To schedule an interpreter, please call 645-7964 or TDD 645-6802.

(06/28/03; 07/05/03; 07/12/03)

**AGENDA  
COLUMBUS BUILDING COMMISSION  
JULY 15, 2003  
1:00 P.M.  
757 CAROLYN AVENUE  
HEARING ROOM – LOWER LEVEL**

1. Approval of June 17, 2003 Meeting Minutes
2. Items from the floor (as approved by the Board)

A sign Language interpreter to, "Sign" this meeting, will be made available for anyone with a need for this service, provided the Building Services Division is made aware of this need and given a reasonable notice of at least four (4) hours before the scheduled meeting time. To schedule an interpreter, please call 645-6079 or TDD 645-3293. Should you have any questions regarding this policy, please contact the City of Columbus, Human Resources Department, at 645-6373.

(07/05/03; 07/12/03)

**AGENDA  
FINAL ZONING COMMITTEE  
CITY OF COLUMBUS, OHIO  
JULY 14, 2003**

- 0796-2003** To grant a Variance from the provisions of Sections 3342.06 Aisle; 3342.09, Dumpster area; 3342.18, Parking Setback Line; 3372.521, Supplemental parking requirements; 3372.564 Parking; and 3372.567 Maximum floor area, for the property located at 1892 INDIANOLA AVENUE (43201), to permit a seven-unit apartment house with reduced development standards in the AR-4, Apartment Residential District (Council Variance CV02-052).
- 1001-2003** To rezone 2372 GANTZ ROAD (43123), being 9.2 ± acres located on the east side of Gantz Road, 460 ± feet south of Willow Run Road, From: PUD-6, Planned Unit Development District, To: R-2, Residential District (Rezoning # Z03-018).
- 1106-2003** To rezone 973 GALLOWAY ROAD (43119), being 21.86 ± acres located on the west side of Galloway Road at the terminus of Greenhaven Avenue, From: R, Rural District, To: L-R-2, Limited Residential District.
- 1107-2003** To grant a Variance from the provisions of Section 3361.03 D, Development plan, for the property located at 1920 SCHROCK ROAD (43229), to permit a fraternal organization in the CPD, Commercial Planned Development District. (Council Variance #CV03-012)
- 1514-2003** To rezone 4466 MORSE ROAD (43230), being 1.05 ± acres located on the north side of Morse Road, 398 ± feet east of Sleaford Avenue, From: L-C-2, Limited Commercial District, To: CPD, Commercial Planned Development District. (Rezoning #Z02-095)
- 1575-2003** To grant a Variance from the provisions of Sections 3363.01, M, Manufacturing districts; 3309.14, Height District; 3342.08, Driveway; 3342.15, Maneuvering; 3342.19, Parking space; 3342.25, Vision clearance and 3342.28, Minimum number of parking spaces required; 3372.609(A)(B) Setback requirements, of the Columbus City Codes for property located at 1000 SOUTH FRONT STREET (43206), to permit residential and park uses in the M, Manufacturing District. (Council Variance Application: CV03-003)
- 1672-2003** To grant a Variance from the provisions of Section 3361.02, Permitted Uses; for the property located at 1552 NORTH HIGHT STREET (43201), to permit ground floor dwelling units, dwelling units above ground floor dwelling units and dwelling units above certain restricted commercial uses in the CPD, Commercial Planned Development District. This application was filed as a companion Variance to rezoning application Z03-004 (Council Variance CV03-004).
- 1673-2003** To rezone 1552 NORTH HIGH STREET (43201), being 7.70 ± acres located on the east side of North High Street between East Ninth Avenue and Chittenden Avenue, and on the west side of North High Street between West Tenth Avenue and West Eleventh Avenue, From: C-4, Commercial, P-1 and P-2, Parking, AR-4, Apartment Residential, and R-4, Residential Districts, to: CPD, Commercial Planned Development District (Z03-004). Filed with companion Council Variance request CV03-004.
- 1688-2003** To rezone 6124 HARLEM ROAD (43054), being 13.12 ± acres located on the east side of Harlem Road, 240 ± feet north of State Route 161; From: R, Rural District, To: PUD-6, Planned Unit Development District.
- 1718-2003** To grant a Variance from the provisions of Sections 3363.01, M-manufacturing districts; 3327.07, Certificate required; 3342.06, Aisle; 3342.08, Driveway; 3342.11, Landscaping; 3342.15, Maneuvering; 3342.18, Parking setback line; 3342.19, Parking space; 3342.25, Vision clearance and 3342.28, Minimum number of parking spaces required; 3372.609, Setback requirements 3372.615(A), Parking and circulation, of the Columbus City Codes for property located at 224 EAST FIRST AVENUE (43203), being 3.25 ± acres located at the northeast corner of North Fourth Street and East First Avenue, to permit residential and park uses with reduced development standards in the M, Manufacturing District.
- 1598-2003** To rezone 2070 BETHEL RD. (43220), being 16.99 ± acres located at the northeast corner of Bethel and Dierker Roads, the Crown Pointe Shopping Center, From: CPD, Commercial Planned Development District, To: CPD, Commercial Planned Development District. (Rezoning #Z02-113)
- 1611-2003** To rezone 3633 SOUTH HIGH STREET (43207), being 1.2 ± acres located on the west side of South High Street, 550 ± feet south of Highview Blvd, in the Great Southern Shopping Center, From: C-4, Commercial District, To: CPD, Commercial Planned Development District.  
(TABLED 7/7/2003)
- 1655-2003** To rezone 5100 EBRIGHT ROAD (43110), being 333.5 ± acres bounded by Winchester Pike and Bachman Road to the north, US Route 33 and Bixby Road to the south, and Ebright Road to the west, From: R-Rural, TC, Town Center, NC, Neighborhood Center, NG, Neighborhood General and NE, Neighborhood Edge Districts, To: TC, Town Center, NC, Neighborhood Center, NG, Neighborhood General, and NE, Neighborhood Edge Districts (Z03-025).  
(TABLED 7/7/2003)
- (07/05/03; 07/12/03)**

**PUBLIC NOTICE  
UNIVERSITY AREA REVIEW BOARD MEETING  
JULY 17, 2003**

A special meeting of the University Area Review Board will be held on Thursday, July 17, 2003 at 4:00 p.m. at the Campus Partners office, 1824 North High Street, to further review the University Gateway project. For further information, call 645-8654.  
**(07/12/03)**

**PUBLIC NOTICE  
UNIVERSITY AREA REVIEW BOARD MEETING  
JULY 24, 2003**

A meeting of the University Area Review Board will be held on Thursday, July 24, 2003 at 6:15 p.m. at the Northside Branch Library, 1423 North High Street. For further information, call 645-8654.  
(07/12/03)

**AGENDA  
BOARD OF ZONING ADJUSTMENT  
CITY OF COLUMBUS, OHIO  
JULY 22, 2003**

The Columbus Board of Zoning Adjustment will hold a public hearing on the following applications on **TUESDAY, JULY 22, 2003 at 6:00 P.M.** in the First Floor Hearing Room of the Building Services Division, 757 Carolyn Avenue.

The Board of Zoning Adjustment hears requests for Special Permits, Appeals and Variances to the requirements of the Columbus Zoning Code, Title 33, of the Columbus City Codes. The Board does not hear applications to amend the Official Zoning Map. Specific case information may be obtained by contacting the Building Services Division, 757 Carolyn Avenue, 645-7314.

**SPECIAL NOTE TO THE APPLICANT:** It is important that you or your representative be present at the public hearing. It is the rule of the Board to dismiss an application when a representative is not present.

**SIGN LANGUAGE INTERPRETER:** An interpreter to "Sign" this meeting will be made available for anyone with a need for this service, provided the Building Services Division is made aware of this need and given a reasonable notice of at least four (4) hours prior to the scheduled meeting time. To schedule an interpreter, please contact the City of Columbus, Human Resources Department at 645-6373 or TDD 645-3293.

**THE FOLLOWING CASES WILL BE HEARD BEGINNING AT 6:00 P.M.:**

1. **ODS No.:** 03311-00003  
**Location:** 3465-3481 GREAT WESTERN BOULEVARD (43204), located at the northeast corner of Wilson Rd. & W. Broad St. (Great Western Shopping Center).  
**Area Comm./Civic:** Hilltop Area Commission  
**Existing Zoning:** M, Manufacturing District  
**Request:** Special Permit(s) to Section(s):  
  1. 3389.03, Field, park or arcade.  
To establish an arcade use in conjunction with a restaurant and lounge.**Proposal:** To establish up to 33 coin-/token-activated devices and attractions as an arcade use within a restaurant & lounge.  
**Applicant(s):** Jordan Chin, L.L.C.; c/o Clark W. Wideman, Attorney, 4737 Nugent Dr., Columbus, Ohio 43220  
**Property Owner(s):** Great Western Shopping Center Co., 191 Nationwide Blvd., Columbus, Ohio 43220  
**Case Planner:** Dave Reiss, 645-7973
  
2. **ODS No.:** 03310-00031  
**Location:** 815 GRANDVIEW AVENUE (43214), located on the east side of Richwood Ave., 129.7 ft. north of Dublin Rd.  
**Area Comm./Civic:** None  
**Existing Zoning:** M, Manufacturing District  
**Request:** Variance(s) to Section(s):  
  1. 3342.28, Minimum number of parking spaces required.  
To reduce the required number of additional parking spaces from 49 to 0.
  2. 3342.06, Aisle.  
To reduce the minimum aisle width in front of the building (west side) from 20 ft. to 18 ft. (2 ft.).
  3. 3342.08, Driveway.  
To reduce the minimum width of a driveway from 20 ft. to 14.5 ft. (5-1/2 ft.)
  4. 3342.11, Landscaping.  
To reduce the minimum parking setback landscaping requirements from 10 ft. to 0 ft.
  5. 3342.15, Maneuvering.  
To provide less than sufficient maneuvering area to access 5 handicapped parking spaces.
  6. 3342.19, Parking space.  
To reduce the length of 14 parking spaces on the north side of the building from 18 ft. to 10 ft. and to permit access to the same through other than a street, alley or maneuvering area (via a partial parking space outside the corporation limits).
  7. 3342.26, Wheel stop device.  
To not provide wheel stop devices on the north side of the building.**Proposal:** To convert an office/warehouse into offices.  
**Applicant(s):** Richard La Rowe; c/o W.D. Partners, 1201 Dublin Rd., Columbus, Ohio 43215  
**Property Owner(s):** M.C.W. Investments II, L.L.C., 1201 Dublin Rd., Columbus, Ohio 43215  
**Case Planner:** Dave Reiss, 645-7973
  
3. **ODS No.:** 03310-00032  
**Location:** 367 WEST 8TH AVENUE (43201), located at the southwest corner of West 8th and Michigan Avenues.  
**Area Comm./Civic:** University Area Commission and University Area Review Board  
**Existing Zoning:** R-4, Residential District  
**Request:** Variance(s) to Section(s):  
  1. 3332.27, Rear yard  
To reduce the rear yard from a nonconforming 18% of the total lot area to not less than 4%.
  2. 3372.541, Landscaped area and treatment

- To reduce the required landscaped area behind the most rear portion of the building from 10% of the lot area to not less than 4%.
3. 3372.542, Maximum lot coverage  
To increase the maximum lot coverage from 25% of the lot area to not more than 56%.
  4. 3372.544, Maximum floor area  
To increase the maximum total calculated floor area permitted from a 40% floor area ratio to 123%.
- Proposal:** To modify and expand the rear of the dwelling over a new foundation to enlarge the kitchen and create a second floor loft gallery/library.
- Applicant(s):** Marlinda S. Iyer, 367 W. 8th Av., Columbus, OH 43201
- Property Owner(s):** Interco II Limited, 367 W. 8th Av., Columbus, OH 43201
- Case Planner:** Denise Powers, 645-1788
4. **ODS No.:** 03310-00034A
- Location:** 471 SIEBERT STREET (43206), located on the south side of Siebert Street, 210± feet west of Parsons Avenue.
- Area Comm./Civic:** Council of Southside Organizations
- Existing Zoning:** R-4, Residential District
- Request:** Variance(s) to Section(s):
1. 3332.05, Area District lot width requirements  
To reduce the width of a lot from 50 feet to 34± feet.
  2. 3342.28, Minimum number of parking spaces required  
To reduce the number of off-street parking spaces required from 2 to 0.
- Proposal:** To allow two parcels to be reconfigured to split a single-family dwelling fronting Seibert Street from a nonconforming retail use building, which is to be renovated and converted to a single-family dwelling with a three car detached garage, fronting Zimpfer Street.
- Applicant(s):** Jill D'Antignac, 471 Siebert St., Columbus, OH 43206
- Property Owner(s):** Applicant
- Case Planner:** Denise Powers, 645-1788
5. **ODS No.:** 03310-00034B
- Location:** 466 ZIMPFER STREET (43206), located on the north side of Zimpfer Street, 210± feet west of Parsons Avenue.
- Area Comm./Civic:** Council of Southside Organizations
- Existing Zoning:** R-4, Residential District
- Request:** Variance(s) to Section(s):
1. 3332.15, R-4 Area District requirements  
To reduce the required lot area from 5,000 square feet to 4371± square feet.
  2. 3332.19, Fronting  
To create a new parcel that does not front upon a public street (Zimpfer Street is an alley).
- Proposal:** To allow two parcels to be reconfigured to split a single-family dwelling fronting Seibert Street from a nonconforming retail use building, which is to be renovated and converted to a single-family dwelling with a three car detached garage, fronting Zimpfer Street.
- Applicant(s):** Jill D'Antignac, 471 Siebert St., Columbus, OH 43206
- Property Owner(s):** Applicant
- Case Planner:** Denise Powers, 645-1788
6. **ODS No.:** 03310-00035
- Location:** 53-57 RUSSELL STREET (43215), located on the south side of Russell Street, 85± feet west of Kerr Street.
- Area Comm./Civic:** Italian Village Commission
- Existing Zoning:** R-4, Residential District
- Request:** Variance(s) to Section(s):
1. 3332.26, Minimum side yard permitted  
To reduce the minimum side yard from 3 feet to 0 feet along the east and west sides of a detached garage.
- Proposal:** To construct a four-car detached garage in the rear yard.
- Applicant(s):** Glenn Skinner II, 8100 Olentangy River Rd., Columbus, OH 43235
- Property Owner(s):** Applicant
- Case Planner:** Denise Powers, 645-1788
7. **ODS No.:** 03310-00036
- Location:** 207 BRIGHTON ROAD (43202), located at the southwest corner of Brighton Road and Milton Avenue.
- Area Comm./Civic:** Clintonville Area Commission
- Existing Zoning:** R-3, Residential District
- Request:** Variance(s) to Section(s):
1. 3332.22, Building lines on corner lots; exceptions  
To reduce the building line from 8 feet to zero along Milton Avenue.
- Proposal:** To raze a 460± sq. ft. garage situated at a nonconforming 0 ft. setback and rebuild a larger 720 sq. ft. detached garage at the same location.
- Applicant(s):** M. Scott Tedrick, AIA, Studio 501 Architects, 2781 Olentangy River Rd., Columbus, OH 43202
- Property Owner(s):** Sarah Bowers, 207 Brighton Rd., Columbus, OH 43202
- Case Planner:** Denise Powers, 645-1788
8. **ODS No.:** 03310-00037
- Location:** 7000 GREENSWARD ROAD (43054), located at the northwest corner of Greensward and Harlem Roads.
- Area Comm./Civic:** Northland Community Council

**Existing Zoning:** PUD-4, Planned Unit Development District  
**Request:** Variance(s) to Section(s):  
 1. 3345.17, Private garages  
 To increase the maximum height of a detached private garage from 15 feet to 40 feet.  
**Proposal:** To construct a detached garage.  
**Applicant(s):** Todd Gannon, Acock Associates Architects, 383 N. Front St., Columbus, OH 43215  
**Property Owner(s):** Richard J. Solove, 7000 Greensward Rd., Columbus, OH 43054  
**Case Planner:** Denise Powers, 645-1788

**THE FOLLOWING CASES WILL NOT BE HEARD BEFORE 7:00 P.M.:**

9. **ODS No.:** 03310-00038  
**Location:** 3528-3530 NORTH HIGH STREET (43214), located at the southeast corner of Dunedin Rd. & N. High St.  
**Area Comm./Civic:** Clintonville Area Commission  
**Existing Zoning:** C-4, Commercial District  
**Request:** Variance(s) to Section(s):  
 1. 3342.28, Minimum number of parking spaces required.  
 To reduce the required number of additional parking spaces from 23 to 0.  
 2. 3342.19, Parking space.  
 To reduce the minimum dimensions of parallel parking spaces from 9 ft. by 22 ft. and angled parking spaces from 9 ft. by 18 ft. to as small as 1 ft. by 16 ft. parallel along Dunedin Rd. and to as little as 14 ft. in length at the last space next to the alley to the east. To reduce the overall length of all other spaces to 17 ft.  
 3. 3342.09, Dumpster area.  
 To provide a dumpster at a location without proper loading and maneuvering space and not screened.  
**Proposal:** To convert first floor offices into a restaurant.  
**Applicant(s):** Jeffrey L. Brown; c/o Smith & Hale, 37 W. Broad St., Suite 725, Columbus, Ohio 43215  
**Property Owner(s):** Fairfax Properties, 2988 N. High St., Columbus, Ohio 43202  
**Case Planner:** Dave Reiss, 645-7973
10. **ODS No.:** 03310-00040  
**Location:** 5965 STILLPONDS PLACE (43228), located on the south side of Stillponds Place, 720± feet west of Cape Henry Drive.  
**Area Comm./Civic:** Greater Feder Road Civic Association  
**Existing Zoning:** SR, Suburban Residential District  
**Request:** Variance(s) to Section(s):  
 1. 3332.38, Private garage  
 To increase the allowable lot area devoted to private garage from 720 square feet to 928 square feet.  
**Proposal:** To construct a single-family dwelling with a three-car attached garage.  
**Applicant(s):** Lucci's 3800, Inc., 5919 Lucci's Ct., Columbus, OH 43228  
**Property Owner(s):** Applicant  
**Case Planner:** Denise Powers, 645-1788
11. **ODS No.:** 03311-00002  
**Location:** 3600 PARK MILL RUN DRIVE (43026), located at the terminii of Mill Run Dr., Spring Mill Dr., and Park Mill Run Dr., at that intersection.  
**Area Comm./Civic:** None  
**Existing Zoning:** CPD, Commercial Planned Development District  
**Request:** Special Permit(s) to Section(s):  
 1. 3389.12, Portable building.  
 To permit the use of a trailer for the storage of used appliances.  
**Proposal:** To use a semi trailer for the storage of used appliances.  
**Applicant(s):** Lowe's Companies, Inc.; c/o Mike Timko; Woolpert, L.L.P., 4141 Rosslyn Dr., Cincinnati, Ohio 45209  
**Property Owner(s):** Paul Ross; c/o U.S.P.G. Portfolio One L.L.C., 10210 N. Central Expressway, Suite 410, Dallas, Texas 75231  
**Case Planner:** Dave Reiss, 645-7973

**HOLDOVER CASES:**

12. **ODS No.:** 02310-00090  
**Location:** 101 PRICE AVENUE (43215), located on the south side of Price Avenue, 430± feet east of Dennison Avenue.  
**Area Comm./Civic:** Victorian Village Commission  
**Existing Zoning:** ARLD, Apartment Residential District  
**Request:** Variance(s) to Section(s):  
 1. 3333.11, ARLD Area District requirements  
 To reduce the required lot area from 7,500 square feet to 4,150 square feet.  
 2. 3333.15, Basis of computing area  
 To increase the lot area allowed to be occupied by building from 50% of the lot area to 51.5%.  
 3. 3333.22, Maximum side yard required  
 To reduce the sum of the widths of each side yard from 20% of the width of the lot, or 10 feet, to 18% of the width of the lot, or 9 feet.  
 4. 3333.23, Minimum side yard permitted  
 To reduce the minimum side yard from 5 feet to 3 feet along the west side of a proposed building.



5. 3333.27, Vision clearance  
To reduce clear vision for an abutting driveway from 12 feet to 11 feet as measured from the front property line.
6. 3342.28, Minimum number of parking spaces required  
To reduce the number of off-street parking spaces required from 6 to 0.
- Proposal:** To construct a two-story three-family dwelling  
**Applicant(s):** Adam Anderson, 8225 Copperfield Dr., Columbus, OH 43215  
**Property Owner(s):** Applicant  
**Case Planner:** Denise Powers, 645-1788
13. **ODS No.:** 03310-00014  
**Location:** 2400 CREEKWAY DRIVE (43207), located at the terminus of Creekway Drive.  
**Area Comm./Civic:** Council of Southside Organizations  
**Existing Zoning:** M-1, Manufacturing District  
**Request:** Variance(s) to Section(s):
1. 3365.21, Height and area regulations.  
To reduce the required rear and side yard setbacks from 25 ft. to 0 ft. for storage and to allow an existing 8 ft. tall fence to remain.
  2. 3365.35, Storage.  
To permit the open storage of shipping containers and trailers within 100 ft. of a residential or apartment residential zoning district. (To permit storage at a 0 ft. setback.)
  3. 3342.15, Maneuvering.  
To permit maneuvering between the parking setback line and the street right-of-way.
  4. 3342.18, Parking setback line.  
To reduce the parking setback line from 25 ft. to 8 ft. (17 ft.).
  5. 3342.24, Surface.  
To permit the driveway to the parking lot and the aisles and driveways in the storage yard to not be a hard surface and instead remain improved with gravel.
- Proposal:** To permit storage closer to a residential zoning district than allowable. To permit parking and maneuvering on other than an approved hard surface.  
**Applicant(s):** Leslie S. Johnson; c/o Lane, Alton, & Horst, L.L.C., 175 S. Third St., Suite 700, Columbus, Ohio 43215  
**Property Owner(s):** Reserve-Creekway, Inc., 32400 Aurora Rd., Suite 4, Solon, Ohio 44139  
**Case Planner:** Dave Reiss, 645-7973
14. **ODS No.:** 03310-00018  
**Location:** 4694-4712 TRABUE ROAD & 1561-1575 WESTBELT DRIVE (43228), located at the northwest corner of Westbelt Dr. & Trabue Rd.  
**Area Comm./Civic:** None  
**Existing Zoning:** M-2, Manufacturing District  
**Request:** Variance(s) to Section(s):
1. 3367.15, M-2 manufacturing district special provisions.  
To permit the establishment of parking spaces and maneuvering areas at a setback of 40 ft. from the right-of-way instead of 50 ft. (10 ft.).
- Proposal:** To create additional parking spaces for office/warehouse uses.  
**Applicant(s):** D.H.J. Architects, 5940 N. High St., Worthington, Ohio 43085  
**Property Owner(s):** D.C.C.R., L.L.C., 9200 Memorial Dr., Plain City, Ohio 43064  
**Case Planner:** Dave Reiss, 645-7973
15. **ODS No.:** 03310-00026  
**Location:** 1985 EAST MAIN STREET (43205), located on the south side of E. Main St., approximately 114 ft. west of Alum Creek Dr.  
**Area Comm./Civic:** Near East Area Commission  
**Existing Zoning:** M, Manufacturing District  
**Request:** Variance(s) to Section(s):
1. 3342.15, Maneuvering.  
To not provide sufficient maneuvering to eight (8) parking spaces behind the building (when obstructed by use of the loading space). Also, to not provide sufficient maneuvering to a loading space.
  2. 3342.13, Loading space.  
To provide a loading space that is not accessible from a maneuvering area. To allow maneuvering in parking spaces and the alley to access the loading space.
  3. 3342.18, Parking setback line.  
To construct a handicapped ramp and one parking space in front of the parking setback line. To reduce the required parking setback from 10 ft. to approximately 2 ft. (8 ft.).
  4. 3363.24, Building lines in an M-manufacturing district.  
To reduce the required building setback line from 10 ft. to 0 ft. for a handicapped ramp.
  5. 3342.28, Minimum number of parking spaces required.  
To reduce the required number of parking spaces from 32 to 30 (2 spaces).
- Proposal:** To construct a retail store.  
**Applicant(s):** Family Dollar Stores; c/o Roger Aleshire, KAE Corporation, 2120 Prairieton Ave., Terre Haute, Indiana 47802  
**Property Owner(s):** Jonathan R. Mandel, 4841 Tatersall Ct., Gahanna, Ohio 43230  
**Case Planner:** Dave Reiss, 645-7973

16. **ODS No.:** 03310-00027  
**Location:** 839 SUMMIT STREET (43215), located on the west side of Summit Street, 266± feet south of East 1st Avenue.  
**Area Comm./Civic:** Italian Village Commission  
**Existing Zoning:** R-4, Residential District  
**Request:** Variance(s) to Section(s):  
1. 3332.26, Minimum side yard permitted  
To reduce the minimum side yards of a detached garage from 3 feet to 2 feet along the north and south sides.  
2. 3332.33, Private access and parking requirements  
To not provide for private access to off-street parking facilities.  
**Proposal:** To construct a two-car detached garage in the rear yard with access occurring across an abutting property to the west.  
**Applicant(s):** Benjamin Goodman & Chris Zuelke, 839 Summit St., Columbus, OH 43215  
**Property Owner(s):** Applicants  
**Case Planner:** Denise Powers, 645-1788
17. **ODS No.:** 03311-00001  
**Location:** 1313 WOODLAND AVENUE (A.K.A. 1877 WOODWARD AVENUE) (43219), located at the southwest corner of Woodward and Woodland Aves.  
**Area Comm./Civic:** North Central Area Commission  
**Existing Zoning:** M, Manufacturing District  
**Request:** Special Permit(s) to Section(s):  
1. 3389.07, Junk or salvage.  
To permit the establishment of a concrete/asphalt recycling facility.  
**Proposal:** To establish a recycling facility.  
**Applicant(s):** James S. Gray; c/o Bricker & Eckler L.L.P., 100 S. Third St., Columbus, Ohio 43215  
**Property Owner(s):** Gee Gee Equipment Co., 1221 E. Fifth Ave., Columbus, Ohio 43215  
**Case Planner:** Dave Reiss, 645-7973

**PUBLIC HEARING  
DEVELOPMENT COMMISSION POLICY MEETING  
JULY 24, 2003**

The Development Commission of the City of Columbus will hold its monthly Policy Meeting on Thursday, July 24, 2003, beginning at 6:15 p.m. in the large conference room on the ground floor of 109 N. Front Street.

**PRESENTATION, DISCUSSION AND ACTION:**

**TRISOUTH NEIGHBORHOOD PLAN**

Please contact Dave Hall, AICP, Senior Planner, Neighborhood Planning, 645-6556 or jdhall@columbus.gov for additional information on the above project.

**COLUMBUS PUBLIC ART COMMISSION AND PUBLIC ART PROGRAM**

Please contact Lori Baudro, AICP, Planning Division, 645-6986 or lsbaudro@columbus.gov

**IMPORTANT: PLEASE CALL BONI LAUTENSCHUETZ AT 645-8036 ON THE DAY OF THE MEETING TO CONFIRM THAT THE ITEM(S) OF INTEREST TO YOU WILL BE HEARD, OR YOU MAY GO ONLINE TO OUR INFOBASE AT WWW.COLUMBUSINFOBASE.ORG.**

A sign language interpreter to sign this meeting will be made available for anyone with a need for this service, provided the Department of Development is made aware of this need and given a reasonable notice of at least forty-eight (48) hours prior to the scheduled meeting time. To schedule an interpreter, please call the Department of Development and leave a message on the TDD line 645-6407.

**THE PUBLIC IS INVITED TO ATTEND**

Mark Barbash, Director, Department of Development

(07/12/03)

**PARKING REGULATIONS**

The parking regulations on the 596 foot long block face along the S side of COMO AVE from RIVERSIDE DR extending to MILTON AVE shall be

Range in feet	Code Section	Regulation
0 - 17	2105.17	NO STOPPING ANYTIME
17 - 596	2151.01	(STATUTORY RESTRICTIONS APPLY)

The parking regulations on the 900 foot long block face along the W side of DANA AVE from RICH ST extending to SULLIVANT AVE shall be

Range in feet	Code Section	Regulation
0 - 137		(STATUTORY RESTRICTIONS APPLY)
147 - 158		(NAMELESS ALLEY)
151 - 223		(STATUTORY RESTRICTIONS APPLY)
223 - 246	2105.03	HANDICAPPED PARKING ONLY
246 - 343		(STATUTORY RESTRICTIONS APPLY)
343 - 363	2105.03	HANDICAPPED PARKING ONLY

363 - 433		(STATUTORY RESTRICTIONS APPLY)
433 - 453	2105.03	HANDICAPPED PARKING ONLY
453 - 526		(STATUTORY RESTRICTIONS APPLY)
526 - 545	2105.03	HANDICAPPED PARKING ONLY
545 - 846		(STATUTORY RESTRICTIONS APPLY)
846 - 865	2105.03	HANDICAPPED PARKING ONLY
865 - 900	2105.17	NO STOPPING ANYTIME

The parking regulations on the 577 foot long block face along the W side of ELLSWORTH AVE from SYCAMORE ST extending to LIVINGSTON AVE shall be

Range in feet	Code Section	Regulation
0 - 68	2151.01	(STATUTORY RESTRICTIONS APPLY)
68 - 91	2105.03	HANDICAPPED PARKING ONLY
91 - 411	2151.01	(STATUTORY RESTRICTIONS APPLY)
411 - 427		(NAMELESS ALLEY)
427 - 577	2151.01	(STATUTORY RESTRICTIONS APPLY)

The parking regulations on the 233 foot long block face along the S side of ELMER ST from REED ST extending to TERMINUS shall be

Range in feet	Code Section	Regulation
0 - 127		(STATUTORY RESTRICTIONS APPLY)
127 - 150	2105.03	HANDICAPPED PARKING ONLY
150 - 233		(STATUTORY RESTRICTIONS APPLY)

The parking regulations on the 5050 foot long block face along the E side of LAKE SHORE DR from FIFTH AVE extending to TRABUE RD shall be

Range in feet	Code Section	Regulation
0 - 4711		(STATUTORY RESTRICTIONS APPLY)
4711 - 5050	2105.17	NO STOPPING ANYTIME

The parking regulations on the 1172 foot long block face along the W side of LAKE SHORE DR from MARBLE CLIFF CROSSING CT extending to TRABUE RD shall be

Range in feet	Code Section	Regulation
0 - 963		(STATUTORY RESTRICTIONS APPLY)
963 - 1172	2105.17	NO STOPPING ANYTIME

Any existing traffic restrictions, prohibitions or traffic control devices which conflict with these orders shall be declared null and void and shall be removed.

BY ORDER OF: LINDA K. PAGE, DIRECTOR  
(07/12/03)

**ZONING COMMITTEE  
AGENDA -FINAL  
MONDAY, JULY 21, 2003 6:30 PM  
CITY COUNCIL CHAMBERS**

REGULAR MEETING NO. 30 OF CITY COUNCIL (ZONING), JULY 21, 2003 AT 6:30 P.M. IN COUNCIL CHAMBERS.

EMERGENCY, TABLED AND 2ND READING OF 30 DAY LEGISLATION

ZONING: MENTEL, CHR. BOYCE HABASH O'SHAUGHNESSY SENSENBRENNER TAVARES THOMAS

**1710-2003** To rezone 4049 LIVINGSTON AVENUE (43227), being 0.50 ± acres located on the south side of Livingston Avenue, 100 ± feet east of Streible Road, From: C-3, Commercial District, To: CPD, Commercial Planned Development District. (Rezoning #Z03-027)

**1712-2003** To grant a Variance from the provisions of Sections 3333.03, AR-3 Apartment Residential District use, 3333.255, Perimeter yard, and 3342.08, Driveway, for property located at 1231 BROOKWOOD PLACE (43209), to permit a housing for the elderly use within the L-AR-3, Limited Apartment Residential District and to provide a variance to the required perimeter yard (CV03-011).

**1713-2003** To rezone 1231 BROOKWOOD PLACE (42209), being 5.7 ± acres located on the west side of College Avenue, 1050+ feet south of East Livingston Avenue, From L-AR-3, Limited Apartment Residential District and R-3, Residential District, To L-AR-3, Limited Apartment Residential District (Z03-029).

**1794-2003** To grant a Variance from the provisions of Sections 3370.05, Permitted Uses, 3370.06, Standards, and 3374.03 Special Permit Uses, for the property located at 1291 LANE AVENUE (43221) to permit retail uses which are open to the general public to permit utility service to said property and to waive the special permit requirement for uses in the L-UCRPD, Limited University College Research Park District. (CV#03-018)

**1069-2003** To grant a Variance from the provisions of Sections 3332.039, R-4, Residential District use; 3332.15, Area District requirements; 3332.19, Fronting on a public street; 3332.25, Maximum side yard required; 3332.26, Minimum side yard permitted; and 3332.27, Rear yard; for the property located at 882 BRYDEN ROAD (43205), to conform an existing second single-family dwelling unit (a carriage house) on the rear of a lot developed with a single-family dwelling with reduced development standards in the R-4, Residential District. (Council Variance #CV03-014)

**1782-2003** To rezone 4201 SOUTH HAMILTON ROAD (43232), being 130.84 acres located at the southwest corner of South Hamilton Road and Winchester Pike, From: C-4, Commercial, L-C-4, Limited Commercial, and R-1, Residential Districts, To: L-C-4, Limited Commercial and L-AR-12, Limited Apartment Residential Districts (Rezoning Z02-009).

**1783-2003** To rezone 5240 WARNER ROAD (43081), being 11.89 ± acres located on the north side of Warner Road, 3300 ± feet west of Harlem Road; From: R, Rural District, To: CPD, Commercial Planned Development District.(Rezoning # Z02-042)

**(07/12/03; 07/19/03)**

**TABLE OF CHANGES IN YOUR 1959  
COLUMBUS CITY CODE**

<b>Code</b>	<b>Ordinance</b>	<b>2002</b>	<b>Page</b>	<b>Subject</b>
To amend Chapter 1147	1717-02	48	2281	To amend Chapter 1147, Section 1147.11 of the Columbus City Codes 1959, to enact new sanitary sewer service rates for the year beginning January 1, 2003, and to repeal the existing Section being amended.
To authorize an amendment	1718-02	48	2284	To authorize an amendment to Columbus City Codes, 1959, Title 21, Chapter 2133.03.
To supplement the Columbus City Codes	1877-02	51	2516	To supplement the Columbus City Codes, 1959, by amending sections of Chapter 3332 by deleting reference to lot area standards from the use sections in this chapter; and by making general language, grammatical and organizational changes; and to adjust definitions in Chapter 3303 to clarify the delegations of zoning powers.
To repeal and enact various sections of the Columbus City Codes	1878-02	51	2526	To repeal and enact various sections of the Columbus City Codes, 1959, in order change the name and scope of the Columbus traffic and transportation commission to the Columbus Transportation and Pedestrian Commission.
To enact Chapter 904 of the Columbus City Code	1879-02	51	2527	To enact Chapter 904 of the Columbus City Code to regulate the limited use or occupation of public sidewalk other real property within public right-of-way.
To repeal and reenact Columbus City Code Chapters 3351, 3353 and 3355.	0236-03	10	3004	To repeal and reenact Columbus City Code Chapters 3351, 3353, 3355, dealing with allowable uses in the C1, C-2, C-3 and C-4 Commercial Zoning Districts of the city of Columbus, in order to update these chapters; to separate C-4 commercial uses out from the C-3 commercial uses found in Chapter 3355 and to create a new chapter 3356 for the C-4 Commercial uses.
To amend section 4109.09 of the Columbus City Codes	0457-03	13	3186	To amend section 4109.09 of the Columbus City Codes, 1959, in order to require a permit to be obtained prior to the securing of any building and structure that has been declared unsafe as allowed by the Columbus building Code (Title 41); and to declare an emergency.
To repeal Ordinance 1425-01 and 533-02, both promulgating changes in Title 33	0545-03	16	3383	To repeal Ordinance 1425-01 and 533-02, both promulgating changes in Title 33, the Columbus Zoning Code, relating to the regulation of adult only entertainment establishments in order to bring the Columbus Zoning Code into compliance with a Federal Court ruling; to clarify City Council's power to pass Zoning Code changes; and to declare an emergency.
To supplement the Columbus City Codes, 1959, by creating a Section 3301.03 and 3303.00; and amending C.C. 3303, 3305, 3355, 3363, and 3339	0546-03	16	3383	To supplement the Columbus City Codes, 1959, by creating a Section 3301.03 and 3303.00; and amending C.C. 3303, 3305, 3355, 3363, and 3339, creating contemporary definitions for adult uses; relocating Adult entertainment establishments and Adult stores to the Manufacturing Districts; designating the separation requirements between adult uses themselves and between adult uses and other specified private and public uses of sensitivity; and making various general language and grammatical changes and corrections; and to declare an emergency.
To create a Chapter 135, "Board of Health and the Health Commissioner"	1058-2003	24	3759	To create a Chapter 135, "Board of Health and the Health Commissioner" consisting of six (6) sections oddly numbered 135.01 through 135.99 of the Columbus City Codes, 1959, in order to maintain the authority of the Board of Health and the Health Commissioner to promulgate rules and regulations needed to ensure the public health, safety, and welfare.
To amend Chapter 1105 of the Columbus City Codes	1033-2003	25	3800	To amend Chapter 1105 of the Columbus City Codes, 1959, regarding terminology located within the Yard Restoration portion of the Code.
To amend Section 2903.01 of the Columbus City Code	0810-2003	26	3838	To amend Section 2903.01 of the Columbus City Code to provide for the necessary modification of inspection fees for weighing and measuring devices used commercially in the City of Columbus and to declare an emergency.
To amend sections, and to repeal sections of the Columbus City Codes	0868-2003	26	3839	To amend sections 501.09, 501.10, 501.14, 501.16, 505.06, 515.02, 517.04, 517.05, 523.06, 525.07, 525.21, 535.06, 540.04, 540.07, 545.03, 545.07, 549.03, 551.03, 551.10, 555.05, 559.12, 563.01, 573.06, 587.05, 587.08, 587.09, 587.13, 589.01, 589.10, 593.03, 593.06, 593.07, 593.21, 594.05, 594.22, 597.97, 2111.03, 2534.03 and to repeal sections 511.03, 519.04, 525.23, 537.07, 549.035, 557.01, 559.10, 563.03, 571.03, 587.04, 589.12, 594.16 of the Columbus City Codes, 1959, to increase various licensing fees.
To establish new Chapter 336 of the Columbus City Codes	1591-2003	27	3897	To establish new Chapter 336 of the Columbus City Codes, 1959, to be titled Disposition of Unclaimed Funds.
To enact new Sections 2133.01 and 2133.99 of the Columbus City Codes	1675-2003	27	3897	To enact new Sections 2133.01 and 2133.99 of the Columbus City Codes, 1959, to reflect recent changes in the Ohio Revised Code with respect to prohibited blood alcohol concentration levels while operating a motor vehicle, minimum penalties associated with such blood alcohol concentration levels as well as other traffic moving violation penalties; to repeal existing Sections 2133.01 and 2133.99; and to declare an emergency.